

EXHIBIT 9



OFFICE OF ADMINISTRATIVE HEARINGS

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State of California

Department of General Services

SPECIAL EDUCATION DIVISION
 QUARTERLY REPORT
 FOURTH QUARTER 2005/2006 FISCAL YEAR
 April 1, 2006 - June 30, 2006

Background. Effective June 1, 2005, the Office of Administrative Hearings (OAH) entered into an interagency agreement with the California Department of Education (CDE) to administer the mandated special education dispute resolution program. That agreement obligates OAH to provide certain specified dispute resolution services in conformance with 20 United States Code, section 1415 et seq., and California Education Code section 56500.1 et seq., as well as requires OAH to collect particular data on the operation of the program. OAH is obligated to report on that data quarterly.

The interagency agreement further contemplated that during the 2005-06 fiscal year, the operation of the special education dispute resolution program would be transitioned to OAH from the University of the Pacific, McGeorge School of Law, Special Education Hearing Office (SEHO), with SEHO continuing to provide particular dispute resolution services during the 2005-06 fiscal year. To the extent that the data reported herein relies on or relates to McGeorge's activities during or prior to the completion of the transition period, OAH cannot vouchsafe for its accuracy because OAH was neither privy to nor had oversight over SEHO's operation.

During the 2005-06 fiscal year, OAH's obligations under the interagency agreement have undergone a number of modifications. These changes have resulted in significant unanticipated changes in the nature and volume of the workload for which OAH is responsible. This too has resulted in some anomalies in the data.

The agreement, as originally entered, required OAH to provide hearings for all cases filed after June 30, 2005, for which a hearing was required. OAH was also obligated to take over all matters (hearings or mediations) still pending with McGeorge on June 30, 2006. Thereafter, from July 1, 2006, through June 30, 2008, OAH was required to provide all the services necessary to appropriately administer the special education dispute resolution program, as called for by the agreement and all applicable laws.

At the time the agreement was entered into, OAH was not obligated to provide any dispute resolution services (hearings or mediations) for cases filed prior to July 1, 2005. Also, the agreement precluded OAH from providing mediation services for any case filed between July 1, 2005, and December 31, 2005. OAH was required to refer those matters to McGeorge.

At CDE's request, OAH agreed to amend the agreement in two respects. First, OAH agreed to provide hearings for all cases in which a hearing was required and had not been commenced on or before the close of business on June 30, 2005. That included cases which had been filed with McGeorge prior to July 1, 2005, and for which OAH was not responsible under the original agreement. Second, OAH agreed that commencing on January 1, 2006, it would provide mediation services for all cases unresolved as of that date. These included cases which had been filed with McGeorge prior to December 31, 2005, and for which OAH was not responsible under the original agreement.

OAH agreed to assume these additional responsibilities because CDE advised that it was unable to reach an agreement with McGeorge to handle this work and because OAH is committed to making certain that the special education dispute resolution program is fully available to California's special education students. This includes those students whose cases would have been lost or unduly delayed had OAH not agreed to take on this additional work.

Apart from the increased workload associated with conducting the additional and unanticipated special education mediations and hearings, the manner and timing of transferring the cases from McGeorge to OAH has been difficult. It has necessitated countless hours inventorying, reviewing, and processing all of the almost 1,600 McGeorge case files, some dating back a number of years.¹ During the fiscal year, particularly during the third and fourth quarters, OAH has worked to process these "pipeline" cases in a way designed to best address the pressing needs of the children involved in these additional cases.

As noted above, OAH agreed to provide certain specified dispute resolution services. Such services include conducting mediations and/or hearings in special education cases, as well as addressing all the procedural matters attendant to those proceedings. Matters to be resolved in those proceedings generally included issues related to the identification, eligibility, assessment, and/or educational placement of a student as they relate to his or her right to a "free appropriate public education."

As a procedural matter, the parties (usually parents and school districts) to a special education dispute may seek a resolution of their disagreement through mediation prior to filing a request for a hearing. They may also engage in informal, non-adversarial means of

¹ McGeorge encouraged the use of "off calendar" status to continue a matter while mediation efforts were undertaken or the parties attempted to reach a negotiated settlement on their own. These matters typically remained "off calendar" until one party asked that the matter be placed back "on calendar" for a hearing. The 1,559 cases received by OAH from McGeorge in the last six months of 2005 included cases that had been "off calendar" and were going back "on calendar" for a hearing, as well as cases that had been settled while at McGeorge but needed a dismissal order issued by OAH which had exclusive authority to do so after July 1, 2005. During the same period, OAH, as required by the interagency agreement with CDE, referred virtually all new case filings to McGeorge. These matters were also generally placed in "off calendar" status by McGeorge. This resulted in a large number of cases with no scheduled hearings. Since receiving these cases on January 1, 2006, OAH has diligently worked to determine the status of each of the McGeorge "pipeline" cases.

resolution after a request for hearing has been filed, or even after a hearing has commenced. Resolution sessions are initially convened by local educational agencies, without the assistance of OAH, within 15 days of receiving the parents' hearing request. If such a resolution session does not resolve the parties' dispute, then the parties may pursue mediation and/or participate in settlement conferences conducted by an administrative law judge from OAH. The administrative law judges at OAH are trained and experienced in resolving cases through these informal means. The vast majority of cases resolve through such informal processes, which obviates the need for the more formal and adversarial hearing process.

To put the scope of the task given to OAH in perspective, and the progress made, this report will reflect not only the cases processed for the fourth quarter, but also a review of the available data back to June 1, 2005. Given that the 2005-06 fiscal year was the initial year of operation for the OAH special education division, as data is collected over the coming fiscal year and the SEHO "pipeline" cases are processed out of the system, OAH will be in a better position to provide a more accurate picture of how cases have resolved since OAH assumed responsibility for conducting mediation and due process hearings in special education cases.

Fourth Quarter Highlights. OAH recognized the possibility that in the hundreds of "pipeline" cases it inherited, a degree of inertia may have set in as progress stalled and unresolved issues spilled over into successive school years. OAH therefore made the processing of these "pipeline" cases a major priority and substantial time, effort, and resources over the past quarter have been devoted to addressing the considerable backlog of SEHO cases. These efforts have been successful. Hundreds of aged cases were placed back "on calendar" and status letters were sent to all parties for cases that were in "off calendar" status. This status check alone resulted in 92 inactive SEHO cases being closed. And through these efforts, of the 1,559 cases inherited from SEHO, 1,344 cases (86 percent) have been resolved through closure, settlement, or hearing. Many were cases that had been languishing for many months, if not years. At present, of the 1,027 matters pending before OAH, only 215 are cases inherited from SEHO. During the 2005-06 fiscal year, OAH successfully processed a total of 3,047 cases through closure.

Even as case backlogs were addressed by merging "pipeline" cases into the existing calendar, OAH recognized the need to improve decision timeliness. This was emphasized over the fourth quarter and the timeliness of decisions issued increased from 29 percent during the third quarter to 57 percent during the fourth quarter. As new administrative law judges are added and experience levels increased, decision timeliness is expected to improve still more. The average timeline for decision was 41 days. Of the 56 decisions issued over this quarter, 32 were issued within the requisite timeframe. All decisions have been provided to CDE and posted on the OAH website.

OAH scheduled 1,167 mediations and facilitated 531 mediation sessions over the fourth quarter. As detailed more fully in the report, mediations held by OAH were successful in 70 percent of these cases. All the administrative law judges assigned to mediations attended a civil mediation course offered through the National Judicial College (NJC), the preeminent national training institution for judges. This program requires 40 hours of actual training and leads to issuance of a certificate that satisfies requirements in many jurisdictions that mediators be properly "certified." In addition, a day-long mediation course was presented by a very capable NJC instructor at the OAH annual training that focused on special education matters. Additional special education mediation training is planned for the annual training scheduled this fall.

I. Case Filings.

The total number of new case filings for the period of April 1, 2006, through June 30, 2006, was 766.

	April	May	June	Total
Student Filed Cases	147	222	230	599
District Filed Cases	19	23	17	59
Expedited Cases	7	7	1	15
Mediation Only	24	31	38	93
Total	197	283	286	766

Of the combined total of 766 new cases, the largest number involves the Los Angeles Unified School District with 320 cases or 42 percent of total cases filed. This is followed by San Diego Unified School District with 20 new requests, Newport-Mesa Unified School District with 19 new requests and Capistrano Unified School District with 11 new requests.

The total number of cases opened by OAH over the past year was 4,041.² This number includes 1,559 cases that were received from SEHO.

Looking at numbers from June 2005, the largest number of cases involved the Los Angeles Unified School District with 1,370 cases or 34 percent of the total cases filed. This is followed by Capistrano Unified School District with 88 requests, Newport-Mesa Unified School District with 76 requests, San Diego Unified School District with 76 requests, Long Beach Unified School District with 56 requests, and San Francisco Unified School District with 55 requests. The complete breakdown by school district for the fourth quarter (FY 2005-06), and also from June 1, 2005, are attached to this report.

² This number reflects 3,978 cases opened in FY 2005-06, and 63 files that were opened in June 2005.

II. Closed Cases.

Between April 1, 2006, and June 30, 2006, 931 cases were closed. These include cases that were dismissed, withdrawn by request of the parties, or that were resolved successfully prior to or after hearing. Of the 931 closed cases, 284 were cases that were initially filed with SEHO and 647 were cases that were filed with OAH on or after July 1, 2005. Of the 931 cases closed during this quarter, 37 percent settled outside mediation and/or a resolution session and 24 percent settled in mediation, for a total settlement rate of 61 percent. Reporting on the success of the IDEA-mandated resolution is inconsistent as only 92 cases (10 percent) were reported resolved in the mandated resolution session. Anecdotal information suggests this number should be much higher; however, OAH is only able to report the data it receives from school districts regarding resolution sessions. A number of cases (9 percent) were withdrawn by the petitioner without a stated reason for withdrawal.

A summary of the disposition status of these cases follows:

	OAH Cases	SEHO Cases	Total
Settled Outside Mediation or Resolution Session	238	108	346
Settled in Mediation ³	174	50	224
Settled in Settlement Conference	2	0	2
Resolved through Resolution Session	92	0	92
Withdrawn by Petitioner	50	32	82
Dismissal Order by Administrative Law Judge	9	2	11
Dismissed via Notice of Insufficiency	21	0	21
Dismissed due to Inactivity	61	92	153
Total Number of Closed Cases	647	284	931

During the fiscal year, particularly the third and fourth quarters, OAH devoted considerable time and resources to identifying aged SEHO cases that were in "off calendar" status and placing those matters back on calendar. Status letters were sent to all parties for cases that were in "off calendar" status. This action resulted in 92 inactive SEHO cases being closed.

III. Mediations.

OAH began holding mediations on January 1, 2006. Unless the parties indicate that mediation is waived, when a request for a due process hearing is received, OAH schedules

³ Settlement in mediation is a case closure category, not a measure of success at mediation. For example, it does not encompass the significant number of matters that settled after progress toward settlement was made during mediation. Referral to the actual number of cases that reached an impasse during mediation is a more accurate reflection of the success of mediation and is reflected in section III below.

an initial mediation date. This quarter, 1,167 mediations were scheduled.⁴ The parties proceeded on the initial mediation date in 764 cases and rescheduled the initial mediation date in 403 cases.⁵ In 37 cases, the parties waived mediation. In 193 cases, the parties cancelled the mediation or did not appear at the mediation session. Lastly, 99 cases were resolved before mediation occurred.

The specific statistics related to mediations are as follows:

Total Number of Mediation Requests	760
Number of Mediation-Only Requests	93
Number of Mediation requests related to Due Process Hearings	667
Number of Mediation-Only Requests Resolved through Mediation	50
Number of Mediations related to Due Process Hearing resolved through Mediation ⁶	174
Total Number of Pending Mediations ⁷	543

During the fourth quarter 2005-06, OAH facilitated 531 mediation sessions. Of those sessions, 263 (50 percent) resulted in a final agreement on the day of the mediation, 91 (17 percent) resulted in an interim agreement, and 16 (3 percent) resulted in an agreement in principle. This category reflects cases in which the parties agree to a resolution of all disputed issues during the mediation and the only remaining task is to reduce the agreement to writing. In addition, 19 mediations were continued for a second mediation date. Of the 531 mediations held, 142 (27 percent) resulted in an impasse. Consequently, mediations held by OAH were successful in 70 percent of the cases.

The overall breakdown is as follows:

Total Mediations	Final Agreement	Interim Agreement	No Agreement "Impasse"	Agreement in Principle	Continued
531	263	91	142	16	19

⁴ This number reflects the total number of mediations scheduled and will not necessarily coincide with the number of case filings. Many cases have second and third mediation dates scheduled and, therefore, the actual number of mediations held is greater than the number of case filings.

⁵ In 295 cases, the mediation date was rescheduled once; in 87 cases, the mediation date was rescheduled twice; and in 108 cases, the mediation date was rescheduled three or more times.

⁶ As discussed in footnote 3, this number reflects the use of mediation as a case closure category. The actual success of mediation is best measured through identification of the number of mediations that reached an impasse and is discussed further in this report.

⁷ This number represents the total number of cases requested, less the number of cases settled. In actuality, the total number of pending cases is a combination of the total number of cases reported previously, plus the new filings reported here, less the number of closed cases. Currently OAH has 1,027 matters pending at various stages of the administrative hearing process.

IV. Due Process Hearings.

During the fourth quarter, final due process hearing decisions were issued in 56 cases. Copies of all decisions have been provided to CDE and were posted on the OAH website. The decisions average 15.4 pages in length. The longest decision was 39 pages and the shortest was 2 pages. The average length of hearing was 3.8 days. The length of hearings ranged from 1 to 13 days. For the 2005-06 fiscal year, final written decisions were issued in 119 cases. The average decision was 15 pages in length and the average hearing was 3.4 days.

Of the cases decided during the fourth quarter 2005-06, 2 cases (4 percent) were decided fully in favor of the student, 38 cases (67 percent) were decided in favor of the district, and 16 cases (29 percent) were split decisions. Students were represented by an attorney or advocate in 37 cases (66 percent) and unrepresented in 19 cases (34 percent). Districts were represented by an attorney or advocate in 55 cases (98 percent) and were unrepresented in 1 case (2 percent).

For the fourth quarter, 19 percent of the cases heard involved preschool students, 40 percent involved elementary school students, 14 percent involved middle school students, and 27 percent involved high school students.

The issues for hearing included students identified as specific learning disabled (18 cases), autistic-like (18 cases), other health impaired (14 cases), mentally retarded (2 cases), speech and language disabled (1 case), orthopedic impairment (1 case), and visually impaired (1 case).

The districts brought four cases seeking approval to conduct assessments of students. The other issues addressed at hearing included denial of "free appropriate public education" (FAPE) claims (84 percent), eligibility for special education services (9 percent), and validity of assessments (13 percent). Of the remedies requested, 50 percent of cases requested reimbursement for services, 11 percent requested reimbursement for assessments, and 68 percent requested compensatory education.

Of the 56 decisions issued in the fourth quarter, 25 involved cases filed with SEHO, and 31 involved cases originated with OAH. Of the 56 decisions rendered, 32 (57 percent) were issued within the requisite timeframe and 24 were issued after the established timeframe. The average timeline for decision was 41 days. OAH has experienced an 81 percent increase in the number of decisions issued during the fourth quarter over those issued during the third quarter. Additionally, the timeliness of decisions issued during the fourth quarter increased from 29 percent during the third quarter to 57 percent.

Specific hearing statistics are summarized below:

	Fourth Quarter
Total Number of Hearing Requests ⁸	766
Number of Cases Resolved Through Settlement	664
Number of Decisions Issued	56
Number of Decisions within 45 day Timeline	2
Number of Decisions Within Extended Timeline	28
Number of Decisions Issued After Timelines and Extension Expired	25
Number of Pending Matters ⁹	1027
Number of Expedited Hearings	2
Number of Hearing Requests Resolved Without a Hearing	988

V. Expedited Hearing Requests.

For the fourth quarter, OAH received 15 requests for expedited hearings. An expedited hearing is a hearing that involves a parent's challenge to the school district's determination that misconduct was not the "manifestation" of the student's disability or a challenge to district's disciplinary placement. Under the IDEA, expedited hearings are to be held within 20 school days of the request for hearing. A decision in expedited cases is to be issued within ten school days after the hearing is concluded. Two cases proceeded to hearing and 11 cases were settled without the need for a hearing.

The specific statistics related to expedited hearings are as follows:

Total Number of Expedited Hearing Requests	15
Number of Settlement Agreements	11
Number of Expedited Hearings Held	2
Number of Change of Placement Ordered	0

VI. Motions.

Prehearing motions and Notices of Insufficiency (NOI) comprise a substantial amount of the work completed by administrative law judges. For the fourth quarter 2005-06, 290 prehearing motions and 159 NOIs were considered and ruled upon by OAH. This represents an 8 percent increase in motions filed and a 12 percent increase in NOIs filed over those filed during the third quarter 2005-06.

⁸ This number represents the total number of new filings.

⁹ As discussed in footnote 7 above.

The NOI numbers are as follows:

	Sufficient	Insufficient	Partially Sufficient	Total
NOI	45	59	55	159
2 nd NOI	11	1	2	14

The type and number of motions are set forth below:

Type of Motion	Number Received
Add Party	11
Amend Complaint	47
Compel	3
Consolidate	19
Continue	32
Dismiss Case	55
Dismiss Party	18
Dismiss Issues	4
Extend Time	20
Reconsideration	9
Reopen	12
Sanctions	3
Stay Put	33
Miscellaneous	30
Total	296

VII. Interpreters.

During the fourth quarter, the assistance of an interpreter was requested in 35 cases. Of those requests, 27 were from the greater Los Angeles area, 3 were from the San Diego/South Bay area, and 5 were from the Northern California area. The largest number of requests was for Spanish interpretation with 21 requests, followed by Korean (3), Cantonese (2), American Sign Language (2), and one each for Farsi, Hebrew, Mandarin, Portuguese, Telug, Thai, and Russian.

VIII. Summary.

During the 2005-06 fiscal year, OAH successfully processed 3,047 cases through closure and issued 119 hearing decisions. Thus, 96 percent of cases were resolved through informal processes, and without the need for more formal adjudication and decision. In the fourth quarter alone, OAH scheduled 1,167 mediations and facilitated 531 mediation sessions. Mediations were successful in 70 percent of these cases.

OAH has also worked diligently and successfully to address the considerable backlog of SEHO pipeline cases it inherited. Of the 1,559 cases inherited from SEHO, 1,344 cases have been resolved through closure, settlement, or hearing. This work was largely achieved over the fourth quarter. The fourth quarter also saw a significant increase in the number of decisions issued (56), and improvement in timeliness over decisions issued the previous quarter. At the present time, there are 1,027 matters pending before OAH; 215 of those matters were inherited from SEHO and 812 originated with OAH.

ATTACHMENT

Cases Opened 6/1/2005 thru 6/30/2006		Cases Opened 4/1/2006 thru 6/30/2006 ¹⁰	
School District	Count	School District	Count
ABC U.S.D.	8	ABC U.S.D.	1
ACALANES U.H.S.D.	7	ALAMEDA USD	1
ACTON-AGUA DULCE USD	1	ALHAMBRA S.D.	1
ALAMEDA USD	5	ANAHEIM CITY S.D.	2
ALBANY U.S.D.	3	ANAHEIM U.H.S.D.	2
ALHAMBRA S.D.	12	ANTELOPE E.S.D.	1
ALPINE CO. U.S.D.	1	ANTELOPE VALLEY U.H.S.D.	2
ALTA LOMA S. D.	8	ANTIOCH USD	1
ALUM ROCK UNION E.S.D.	1	APPLE VALLEY U.S.D.	1
ALVORD U.S.D.	2	ARCADIA U.S.D.	2
AMADOR CO. USD	1	AUBURN UNION E.S.D.	1
ANAHEIM CITY S.D.	16	AZUSA U.S.D.	1
ANAHEIM U.H.S.D.	21	BALDWIN PARK U.S.D.	1
ANTELOPE E.S.D.	1	BEAR VALLEY U.S.D.	1
ANTELOPE VALLEY U.H.S.D.	17	BELLFLOWER U.S.D.	1
ANTIOCH USD	2	BERKELEY U.S.D.	2
APPLE VALLEY U.S.D.	4	BEVERLY HILLS U.S.D.	6
ARCADIA U.S.D.	6	BONITA U.S.D.	2
ATWATER E.S.D.	1	BREA-OLINDA US D	3
AUBURN UNION E.S.D.	1	BRENTWOOD UNION S.D.	1
AZUSA U.S.D.	3	BUENA PARK S.D.	2
BAKERSFIELD CITY S.D.	3	BURLINGAME E.S.D.	2
BALDWIN PARK U.S.D.	2	CABRILLO U.S.D.	1
BANNING U.S.D.	6	CAMPBELL U.H.S.D.	2
BARSTOW U.S.D.	1	CAPISTRANO U.S.D.	11
BASSETT USD	2	CARLSBAD U.S.D.	4
BEAR VALLEY U.S.D.	1	CARMEL U.S.D.	1
BELLA VISTA E.S.D.	1	CASTAIC UNION S.D.	1
BELLFLOWER U.S.D.	10	CENTINELA VALLEY U.H.S.D.	1
BELMONT-REDWOOD SHORES E.S.D.	10	CENTRAL E.S.D. (RANCHO CUC.)	1
BERKELEY U.S.D.	14	CENTRALIA S.D.	1
BERRYESSA U.S.D.	2	CHAFFEY JT. U.H.S.D.	2
BEVERLY HILLS U.S.D.	14	CHARTER OAK U.S.D.	1
BONITA U.S.D.	7	CHINO VALLEY U.S.D.	5
BONSALL UNION S.D.	1	CHULA VISTA E.S.D.	4
BREA-OLINDA USD	7	CLOVIS U.S.D.	2
BRENTWOOD UNION S.D.	1	COALINGA-HURON JT. U.S.D.	1
BUCKEYE S.D.	1	COLTON JOINT U.S.D.	2
BUENA PARK S.D.	8	COMPTON U.S.D.	7
BURBANK U.S.D.	4	CONEJO VALLEY U.S.D.	2
BURLINGAME E.S.D.	5	CORONA-NORCO USD	5

¹⁰ Total cases filed for the fourth quarter FY 2005-06 numbers 766. The attachment included nine cases in the mix that related to transcript requests, and this artificially inflated the total number to 775.

Cases Opened 6/1/2005 thru 6/30/2006

BUTTE CO DPT BEHAVIORAL HEALTH	1
BYRON UNION S.D.	3
CABRILLO U.S.D.	3
CAJON VALLEY U.S.D.	1
CALIF SCH FOR THE DEAF	1
CALIFORNIA VIRTUAL ACADEMIES	1
CAMPBELL U.E.S.D.	2
CAMPBELL U.H.S.D.	8
CAPISTRANO U.S.D.	88
CARDIFF E.S.D.	1
CARLSBAD U.S.D.	14
CARMEL U.S.D.	1
CASCADE UNION E.S.D.	1
CASTAIC UNION S.D.	2
CASTRO VALLEY U.S.D.	2
CENTINELA VALLEY U.H.S.D.	1
CENTRAL E.S.D. (RANCHO CUC.)	1
CENTRALIA S.D.	8
CERES U.S.D.	2
CHAFFEY JT. U.H.S.D.	8
CHARTER OAK U.S.D.	4
CHICO U.S.D.	1
CHINO VALLEY U.S.D.	20
CHULA VISTA E.S.D.	23
CLAREMONT U.S.D.	3
CLOVERDALE U.S.D.	1
CLOVIS U.S.D.	12
COACHELLA VALLEY U.S.D.	1
COALINGA-HURON JT. U.S.D.	1
COLFAX E.S.D.	1
COLTON JOINT U.S.D.	5
COLUSA U.S.D.	1
COMPTON U.S.D.	31
CONEJO VALLEY U.S.D.	13
CORCORAN JT. U.S.D.	2
CORONA-NORCO USD	32
CORONADO U.S.D.	2
COTATI ROHNERT PARK U.S.D.	2
COVINA-VALLEY U.S.D.	5
CULVER CITY U.S.D.	15
CUPERTINO UNION S.D.	10
CYPRESS S.D.	3
DAVIS JT. U.S.D.	9
DEL NORTE U.S.D.	11
DELHI UNIFIED SCHOOL DIST	1
DENAIR U.S.D.	1
DESERT SANDS U.S.D.	6
DIXIE E.S.D.	1
DIXON U.S.D.	1

Cases Opened 4/1/2006 thru 6/30/2006

CORONADO U.S.D.	1
COTATI ROHNERT PARK U.S.D.	1
CUPERTINO UNION S.D.	1
DAVIS JT. U.S.D.	5
DESERT SANDS U.S.D.	3
DIXON U.S.D.	1
DOWNEY U.S.D.	1
DUBLIN U.S.D.	4
EAST SIDE UNION H.S.D.	2
EAST WHITTIER CITY S.D.	1
EL SEGUNDO U.S.D.	6
EL TEJON U.S.D.	1
ELK GROVE U.S.D.	3
ENCINITAS U.S.D.	1
ESCONDIDO U.S.D.	2
ETIWANDA S.D.	2
FONTANA USD	2
FRANKLIN MCKINLEY S.D.	1
FREMONT U.S.D.	2
GALT JOINT U.H.S.D.	2
GARDEN GROVE U.S.D.	2
GLENDALE U.S.D.	2
GLENDORA U.S.D.	1
GRANT JT. UNION H.S.D.	1
GRASS VALLEY E.S.D.	1
GROSSMONT UNION H.S.D.	3
HACIENDA LA PUENTE USD	3
HAWTHORNE SCHOOL DISTRICT	2
HAYWARD U.S.D.	1
HERMOSA BEACH CITY E.S.D.	2
HESPERIA U.S.D.	1
HOLTVILLE U.S.D.	1
HUNTINGTON BEACH CITY S.D.	3
INGLEWOOD U.S.D.	6
IRVINE U.S.D.	6
KEPPEL UNION S.D.	1
KERMAN U.S.D.	1
KERN H.S.D.	2
LA CANADA U.S.D.	1
LA MESA-SPRING VALLEY S.D.	1
LAKE ELSINORE U.S.D.	3
LANCASTER S.D.	5
LARKSPUR E.S.D.	1
LAS VIRGENES U.S.D.	4
LAWNDALE S. D.	2
LEMON GROVE E.S.D.	1
LITTLE LAKE CITY S.D.	1
LONG BEACH U.S.D.	2
LOS ALAMITOS U.S.D.	1

Cases Opened 6/1/2005 thru 6/30/2006

DOWNEY U.S.D.	13
DRY CREEK JT. E.S.D.	5
DUARTE UNIFIED S.D.	6
DUBLIN U.S.D.	10
EAST SIDE UNION H.S.D.	13
EAST WHITTIER CITY S.D.	11
EL DORADO U.H.S.D.	2
EL MONTE U.H.S.D.	1
EL RANCHO UNIFIED S.D.	6
EL SEGUNDO U.S.D.	9
EL TEJON U.S.D.	3
ELK GROVE U.S.D.	21
ENCINITAS U.S.D.	7
ENTERPRISE S.D.	1
ESCONDIDO U.S.D.	8
ETIWANDA S.D.	3
EUREKA CITY S.D.	1
EUREKA UNION S.D.	1
EVERGREEN S.D.	6
EXETER U.S.D.	4
FAIRFIELD SUISUN U.S.D.	7
FALLBROOK UNION E.S.D.	1
FOLSOM CORDOVA USD	11
FONTANA USD	9
FOUNTAIN VALLEY S.D.	2
FRANKLIN MCKINLEY S.D.	1
FREMONT U.S.D.	12
FREMONT UNION H.S.D.	1
FRESNO U.S.D.	6
FRUITVALE S. D.	1
FULLERTON ELEMENTARY S.D.	11
FULLERTON JOINT UNION H.S.D.	7
GALT JOINT U.H.S.D.	2
GARDEN GROVE U.S.D.	25
GARVEY S.D.	4
GATEWAY U.S.D.	2
GLENDALE U.S.D.	16
GLENDORA U.S.D.	6
GLENN COUNTY MENTAL HEALTH	1
GOLETA U.S.D.	1
GORMAN SCHOOL DISTRICT	1
GRANT JT. UNION H.S.D.	6
GRASS VALLEY E.S.D.	1
GREENFIELD U.S.D.(BAKERSFIELD)	1
GROSSMONT UNION H.S.D.	8
HACIENDA LA PUENTE USD	10
HANFORD E.S.D.	2
HARMONY UNION S.D.	1

Cases Opened 4/1/2006 thru 6/30/2006

LOS ALTOS U.S.D.	2
LOS ANGELES U.S.D.	320
LOS BANOS USD	1
LOS GATOS/SARATOGA JT USD	2
MADERA UNIFIED SCHOOL DISTRICT	1
MAGNOLIA ELEM SCH DIST	1
MANHATTAN BEACH U.S.D.	2
MANTECA U.S.D.	3
MARTINEZ U.S.D.	1
MCFARLAND U.S.D.	1
MENLO PARK CITY E.S.D.	1
MILPITAS USD	1
MODESTO CITY SCHOOLS	5
MONROVIA U.S.D.	1
MONTEBELLO USD	1
MONTEREY PENINSULA USD	1
MOOR PARK U.S.D.	1
MORENO VALLEY U.S.D.	3
MT. DIABLO USD	4
MURRIETA VALLEY U.S.D.	1
NEEDLES U.S.D.	2
NEW HAVEN U.S.D.	1
NEWARK U.S.D.	2
NEWMAN-CROWS LANDING USD	1
NEWPORT-MESA USD	19
NORWALK/LA MIRADA U.S.D.	4
NOVATO U.S.D.	2
OAK PARK USD	1
OAKLAND U.S.D.	5
OAKLEY UNION E.S.D.	1
OCEAN VIEW S.D.	3
ORANGE CO. HEALTH CARE AGENCY	2
ORANGE USD	2
OXNARD ELEMENTARY SCHOOL	1
PAJARO VALLEY U.S.D.	1
PALM SPRINGS U.S.D.	1
PALO ALTO U.S.D.	1
PALO VERDE U.S.D.	1
PALOS VERDES PENINSULA USD	2
PANAMA-BUENA VISTA UNION S.D.	1
PASADENA U.S.D.	4
PERRIS E.S.D.	1
PIONEER U.E.S.D. HANFORD	1
PLACENTIA-YORBA LINDA U.S.D.	2
PLEASANT VALLEY SD (CAMARILLO)	2
POMONA U.S.D.	2
POWAY U.S.D.	5
REDLANDS U.S.D.	2

Cases Opened 6/1/2005 thru 6/30/2006

HAWTHORNE SCHOOL DISTRICT	7
HAYWARD U.S.D.	8
HEMET U.S.D.	7
HERMOSA BEACH CITY E.S.D.	4
HESPERIA U.S.D.	2
HOLLISTER S.D.	6
HOLTVILLE U.S.D.	2
HORIZON INTRUCT SYST CHT SCHL	2
HUNTINGTON BEACH CITY S.D.	13
HUNTINGTON BEACH U.H.S.D.	10
IMPERIAL U.S.D.	1
INGLEWOOD U.S.D.	12
IRVINE U.S.D.	38
JEFFERSON E.S.D.	2
JURUPA U.S.D.	7
KEPPEL UNION S.D.	1
KERMAN U.S.D.	1
KERN CO. SUPT. OF SCHOOLS	1
KERN H.S.D.	9
LA CANADA U.S.D.	10
LA HABRA CITY S.D.	1
LA MESA-SPRING VALLEY S.D.	3
LAFAYETTE S.D.	3
LAGUNA BEACH U.S.D.	1
LAKE ELSINORE U.S.D.	7
LAKEPORT U.S.D.	2
LAKESIDE S.D. (LAKESIDE)	2
LAKESIDE UNION ESD (HANFORD)	1
LANCASTER S.D.	12
LARKSPUR E.S.D.	1
LAS LOMITAS E.S.D.	1
LAS VIRGENES U.S.D.	17
LAWNDALE S. D.	6
LEMON GROVE E.S.D.	2
LEMOORE U.H.S.D.	1
LIBERTY UNION H.S.D.	2
LINCOLN U.S.D.	1
LITTLE LAKE CITY S.D.	2
LIVERMORE VALLEY JT. USD	4
LODI U.S.D.	3
LOMPOC U.S.D.	1
LONG BEACH U.S.D.	56
LOS ALAMITOS U.S.D.	2
LOS ALTOS U.S.D.	5
LOS ANGELES CO. OFFICE OF ED.	1
LOS ANGELES U.S.D.	1370
LOS BANOS USD	2
LOS GATOS/SARATOGA JT USD	4
LOS NIETOS S.D.	3

Cases Opened 4/1/2006 thru 6/30/2006

REDONDO BEACH U.S.D.	2
REDWOOD CITY E.S.D.	3
REED UNION S.D.	2
RIALTO U.S.D.	2
RIO LINDA UNION S.D.	3
RIPON UNIFIED S. D.	2
RIVERSIDE U.S.D.	2
ROCKLIN U.S.D.	1
ROWLAND U.S.D.	2
SACRAMENTO CITY U.S.D.	8
SACRAMENTO CO OFF. OF ED.	1
SADDLEBACK VALLEY U.S.D.	4
SALINAS UNION H.S.D.	1
SAN BERNARDINO CITY USD	1
SAN DIEGO CITY SCHOOLS	1
SAN DIEGO U.S.D.	19
SAN DIEGUITO UNION H.S.D.	1
SAN FRANCISCO U.S.D.	7
SAN JACINTO U.S.D.	1
SAN JOSE USD	9
SAN JUAN U.S.D.	4
SAN LUIS COASTAL U.S.D.	2
SAN MARCOS U.S.D.	1
SAN MATEO-FOSTER CITY S.D.	3
SAN RAFAEL CITY SCHOOLS	2
SAN RAMON VALLEY U.S.D.	4
SANTA ANA U.S.D.	8
SANTA MONICA-MALIBU USD	7
SANTA ROSA CITY SCHOOLS	2
SEBASTOPOL U.S.D.	2
SEQUOIA U.H.S.D.	1
SIMI VALLEY U.S.D.	2
SNOWLINE JOINT U.S.D.	1
SOLANA BEACH U.S.D.	1
SPRECKELS U.S.D.	2
STOCKTON U.S.D.	1
SUNNYVALE ELEMENTARY S.D.	2
SYLVAN UNION S.D.	4
TEHACHAPI U.S.D.	2
TEMECULA VALLEY U.S.D.	2
TEMPLE CITY U.S.D.	2
TORRANCE U.S.D.	5
TRACY JT. U.S.D.	1
TRINITY CO. OFFICE OF ED.	2
TULARE CO./OFFICE OF EDUC	1
TUSTIN U.S.D.	1
UPPER LAKE U.S.D.	1
VICTOR VALLEY UNION H.S.D.	1
WALNUT VALLEY U.S.D.	1

Cases Opened 6/1/2005 thru 6/30/2006

LOWELL JT. S.D.	2
LUCERNE E.S.D.	1
LUCIA MAR U.S.D.	2
LYNWOOD USD	7
MADERA UNIFIED SCHOOL DISTRICT	2
MAGNOLIA ELEM SCH DIST	2
MANHATTAN BEACH U.S.D.	20
MANTECA U.S.D.	13
MARTINEZ U.S.D.	2
MARYSVILLE JT. U.S.D.	1
MCFARLAND U.S.D.	1
MENIFEE UNION ESD	4
MENLO PARK CITY E.S.D.	3
MERCED COUNTY MENTAL HEALTH	2
MERCED UNION H.S.D.	1
MIDDLETOWN U.S.D.	1
MILPITAS USD	3
MODESTO CITY SCHOOLS	12
MOJAVE UNIFIED S.D.	2
MONROVIA U.S.D.	5
MONTEBELLO USD	11
MONTEREY PENINSULA USD	4
MOOR PARK U.S.D.	3
MORAGA ELEM SCH DIST	1
MORENO VALLEY U.S.D.	14
MORGAN HILL USD	4
MORONGO U.S.D.	2
MOUNTAIN EMPIRE S.D.	2
MOUNTAIN VIEW E.S.D. (ONTARIO)	2
MT. DIABLO USD	25
MURRIETA VALLEY U.S.D.	14
NAPA VALLEY U.S.D.	3
NATOMAS U.S.D.	12
NEEDLES U.S.D.	2
NEVADA CO. OFFICE OF ED.	1
NEW HAVEN U.S.D.	5
NEWARK U.S.D.	4
NEWCASTLE E.S.D.	1
NEWHALL SCH DIST	5
NEWMAN-CROWS LANDING USD	2
NEWPORT-MESA USD	76
NORTH MONTEREY CO. U.S.D.	3
NORTH SACRAMENTO S.D.	2
NORTHERN HUMBOLDT U.H.S.D.	1
NORWALK/LA MIRADA U.S.D.	15
NOVATO U.S.D.	3
OAK GROVE S.D.	1
OAK GROVE UNION S.D.	1

Cases Opened 4/1/2006 thru 6/30/2006

WASHINGTON UNIFIED SD (W SAC)	1
WEST CONTRA COSTA USD	4
WEST COVINA USD	1
WEST SIDE UNION H.S.D.	1
WESTMINSTER S.D.	1
WESTSIDE UNION E.S.D.	2
WESTSIDE UNION S.D.	1
WHITTIER CITY S.D.	1
WHITTIER UNION H.S.D.	1
WILLIAM S. HART UHSD	2
WILLITS U.S.D.	1
Total	775

Cases Opened 6/1/2005 thru 6/30/2006

OAK PARK USD	2
OAKLAND U.S.D.	24
OAKLEY UNION E.S.D.	2
OCEAN VIEW S.D.	16
OCEANSIDE U.S.D.	5
OLD ADOBE UNION S.D.	1
ONTARIO-MONTCLAIR S.D.	2
ORANGE CO. HEALTH CARE AGENCY	4
ORANGE USD	25
ORINDA UNION S.D.	1
OROVILLE UNION H.S.D.	1
OXNARD ELEMENTARY SCHOOL	6
OXNARD UNION H.S.D.	1
PACIFIC GROVE U.S.D.	1
PACIFICA SCHOOL DISTRICT	1
PAJARO VALLEY U.S.D.	8
PALM SPRINGS U.S.D.	8
PALMDALE S.D.	14
PALO ALTO U.S.D.	7
PALO VERDE U.S.D.	3
PALOS VERDES PENINSULA USD	10
PANAMA-BUENA VISTA UNION S.D.	4
PARAMOUNT U.S.D.	7
PASADENA U.S.D.	23
PASO ROBLES JOINT UNIFIED S.D.	1
PERRIS E.S.D.	2
PERRIS U.H.S.D.	1
PIONEER U.E.S.D. HANFORD	1
PLACENTIA-YORBA LINDA U.S.D.	21
PLACER CO. OFFICE OF ED.	1
PLEASANT VALLEY ESD(PENN VLY)	1
PLEASANT VALLEY SD (CAMARILLO)	6
PLEASANTON U.S.D.	3
POMONA U.S.D.	11
PORTERVILLE U.S.D.	1
POWAY U.S.D.	44
RANCHO SANTA FE S.D.	1
RAVENSWOOD CITY S.D.	1
REDLANDS U.S.D.	7
REDONDO BEACH U.S.D.	10
REDWOOD CITY E.S.D.	10
REED UNION S.D.	4
RESCUE UNION E.S.D.	1
RIALTO U.S.D.	14
RIM OF THE WORLD U.S.D.	2
RIO ELEM SCH DIST	1
RIO LINDA UNION S.D.	8
RIPON UNIFIED S. D.	2
RIVERSIDE CO. OFFICE OF ED.	1

Cases Opened 4/1/2006 thru 6/30/2006

Cases Opened 6/1/2005 thru 6/30/2006

RIVERSIDE U.S.D.	9
ROCKLIN U.S.D.	4
ROSELAND S.D.	1
ROSEMEAD S.D.	1
ROSEVILLE E.S.D.	3
ROWLAND U.S.D.	2
SACRAMENTO CITY U.S.D.	25
SACRAMENTO CO OFF. OF ED.	1
SADDLEBACK VALLEY U.S.D.	15
SALIDA U.S.D.	1
SALINAS UNION H.S.D.	2
SAN BERNARDINO CITY USD	6
SAN BRUNO PARK S.D.	2
SAN CARLOS S.D.	5
SAN DIEGO CITY SCHOOLS	16
SAN DIEGO CO. OFF OF ED	1
SAN DIEGO U.S.D.	76
SAN DIEGUITO UNION H.S.D.	15
SAN FRANCISCO U.S.D.	55
SAN GABRIEL U.S.D.	5
SAN JACINTO U.S.D.	2
SAN JOSE USD	27
SAN JUAN U.S.D.	15
SAN LEANDRO U.S.D.	4
SAN LORENZO U.S.D.	2
SAN LUIS COASTAL U.S.D.	12
SAN MARCOS U.S.D.	5
SAN MATEO UNION HSD	1
SAN MATEO-FOSTER CITY S.D.	8
SAN MIGUEL JT. U.S.D.	2
SAN RAFAEL CITY SCHOOLS	6
SAN RAMON VALLEY U.S.D.	26
SAN YSIDRO S.D.	1
SANGER U.S.D.	2
SANTA ANA U.S.D.	36
SANTA BARBARA CO. OFF. OF ED.	1
SANTA BARBARA H.S.D.	6
SANTA BARBARA S.D.	1
SANTA CLARA CO. OFFICE OF ED.	1
SANTA CLARA USD	4
SANTA CRUZ CITY S.D.	1
SANTA MARIA JOINT U.H.S.D.	1
SANTA MONICA-MALIBU USD	28
SANTA ROSA CITY SCHOOLS	5
SARATOGA U.S.D.	1
SAUGUS UNION S.D.	5
SCOTTS VALLEY USD	1
SEBASTOPOL U.S.D.	4
SEQUOIA U.H.S.D.	7

Cases Opened 4/1/2006 thru 6/30/2006

Cases Opened 6/1/2005 thru 6/30/2006

SIMI VALLEY U.S.D.	17
SISKIYOU UNION H.S.D.	1
SNOWLINE JOINT U.S.D.	2
SO. BAY U.S.D. (IMPERIAL BCH)	2
SOLANA BEACH U.S.D.	3
SONOMA VALLEY U.S.D.	1
SONORA UNION H.S.D.	1
SOUTH PASADENA U.S.D.	5
SOUTH WHITTIER E.S.D.	1
SPRECKELS U.S.D.	4
ST. HELENA S.D.	1
STANISLAUS UNION E.S.D.	1
STOCKTON U.S.D.	3
SULPHUR SPRINGS U.S.D.	2
SUNNYVALE ELEMENTARY S.D.	2
SWEETWATER UNION H.S.D.	5
SYLVAN UNION S.D.	10
TAFT CITY S.D.	1
TAMALPAIS UNION H.S.D.	4
TEHACHAPI U.S.D.	8
TEMECULA VALLEY U.S.D.	25
TEMPLE CITY U.S.D.	5
TEMPLETON U.S.D.	1
TORRANCE U.S.D.	19
TRACY JT. U.S.D.	7
TRINITY CO. OFFICE OF ED.	2
TULARE CO. SUPT. OF SCHOOLS	1
TULARE CO./OFFICE OF EDUC	2
TUSTIN U.S.D.	46
TWAIN HARTE/LONG BARN U.S.D.	1
TWIN HILLS UNION S. D.	1
UNION S. D.	1
UPLAND U.S.D.	3
UPPER LAKE U.S.D.	1
VACAVILLE U.S.D.	5
VAL VERDE USD	2
VALLEJO CITY U.S.D.	3
VALLEY CENTER U.S.D.	4
VENTURA U.S.D.	5
VICTOR E.S.D.	3
VICTOR VALLEY UNION H.S.D.	3
VISALIA U.S.D.	6
VISTA U.S.D.	7
WALNUT CREEK S.D.	5
WALNUT VALLEY U.S.D.	2
WASHINGTON UNIFIED SD (W SAC)	4
WEST CONTRA COSTA USD	21
WEST COVINA USD	4
WEST SIDE UNION H.S.D.	2

Cases Opened 4/1/2006 thru 6/30/2006

Cases Opened 6/1/2005 thru 6/30/2006

WEST SONOMA CO. UNION HSD	1
WESTERN PLACER USD	1
WESTMINSTER S.D.	4
WESTSIDE UNION E.S.D.	12
WESTSIDE UNION S.D.	1
WHITTIER CITY S.D.	5
WHITTIER UNION H.S.D.	7
WILLIAM S. HART UHSD	9
WILLITS U.S.D.	1
WINDSOR U.S.D.	1
WISEBURN E.S.D.	1
WOODLAND JT. U.S.D.	5
YOLO CO. MENTAL HEALTH CHILD	1
YOUTH AUTHORITY - SPECIAL ED	1
YUBA CITY U.S.D.	2
YUCAIPA-CALIMESA JT. U.S.D.	13
No Name	81
Total	4041

Cases Opened 4/1/2006 thru 6/30/2006

EXHIBIT 10



**OFFICE OF ADMINISTRATIVE HEARINGS
SPECIAL EDUCATION DIVISION**

2349 Gateway Oaks Dr. Ste. 200, Sacramento, CA 95833
916-263-0880 phone | 916-263-0890 fax
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State of California

Department of General Services

**SPECIAL EDUCATION DIVISION
QUARTERLY REPORT
FIRST QUARTER 2006/2007 FISCAL YEAR
July 1, 2006 – September 30, 2006**

Effective June 1, 2005, the Office of Administrative Hearings (OAH) entered into an interagency agreement with the California Department of Education (CDE) to administer the mandated special education dispute resolution program. That agreement obligates OAH to provide certain specified dispute resolution services in conformance with 20 U.S.C. section 1415 et seq., and California Education Code section 56500.1 et seq., as well as requires OAH to collect particular data on the operation of the program. OAH is obligated to report on that data quarterly. The program was previously administered by the University of the Pacific, McGeorge School of Law, Special Education Hearing Office (SEHO).

At CDE's request, OAH agreed to amend the agreement in two respects. First, OAH agreed to provide hearings for all cases in which a hearing was required and had not been commenced on or before the close of business on June 30, 2005. That included cases which had been filed with SEHO prior to July 1, 2005, and for which OAH was not responsible under the original agreement. Second, OAH agreed that commencing January 1, 2006, it would provide mediation services for all cases unresolved as of that date. That included cases which had been filed with SEHO prior to December 31, 2005, and for which OAH was not responsible under the original agreement.

Effective July 1, 2006, OAH has also been asked to collect additional data points that elaborates upon matters already reported on a quarterly basis.

I. Case Filings

The total number of new case filings for this quarter was 705.

	July	August	September	Total
Student Filed Cases	204	205	180	589
District Filed Cases	21	26	16	63
Expedited Cases	1	2	1	4
Mediation Only	19	15	15	49
Total	245	248	212	705

Regional Offices

6150 Van Nuys Blvd.
Suite 305
Van Nuys, CA 91401
818 904-2383 phone
818 904-2360 fax

8001 Irvine Center Dr.
Suite 417
Irvine, CA 92614
949 754-3935 phone
949 754-2905 fax

Of the combined total of 705 new cases, the largest number involves the Los Angeles Unified School District with 262 cases or 37 percent of total cases filed. This is followed by San Diego City Unified School District with 26 new requests, Poway Unified School District with 15 requests and San Francisco Unified School District with 14 new requests. A complete breakdown by school district for the quarter is attached to this report. Also included in the breakdown is the number of parent requests per district.

Due process hearing requests are received from a variety of sources. Beginning July 1, 2006, CDE requested OAH collect data on the number of hearing requests in which parents and school districts were represented by attorneys.¹

Student(s) with Legal Representation	458
District(s) with Legal Representation	337

For new hearing requests, CDE also requested OAH collect data on the issues, identified student disability, and the age groups which generate due process hearing complaints².

Disability Categories³

	July	August	September	Total
Autism	44	54	84	182
Deaf-Blindness	0	0	1	1
Deafness	2	0	2	4
Hearing Impaired	2	5	3	10
Mental Retardation	5	11	10	26
Multiple Disabilities	4	8	4	16
Orthopedic Impairment	0	7	3	10
Serious Emotional Disturbance	18	10	14	42
Specific Learning Disability	24	42	30	96
Speech and Language	16	30	18	64
Traumatic Brain Injury	0	2	2	4
Visual Impairment	2	3	4	9
Other Health Impaired	38	28	37	103
Not Stated	64	71	62	197

¹ This data is collected based upon information provided at the time the case is closed, whether it be via settlement, withdrawal, or decision. Due to the shifting nature of representation in special education disputes, it is not possible to collect data at the time the request is filed. Consequently, it is not accurate to assume that the number of pro per cases filed each quarter can be calculated by subtracting the number of represented cases from the total number of cases filed.

² This data is collected based upon information available at the time the case is closed, whether it be via settlement, withdrawal, or decision. Due to the shifting nature of issues in special education disputes, it is not possible to collect data at the time the request is filed. Consequently, the data reported in this section will not correspond to the total number of new cases opened.

³ The number of disabilities will not equal the total number of cases because several cases identified multiple disabilities for the student.

Issues ⁴

Placement	1644
Goals and Objectives	348
Designated Instruction and Services	1188
Private Services	100
Mental Health Services	502
Discipline	53
Assessment	449
Reimbursement	610
Extended School Year	258
Compensatory Education	430
Eligibility	172

Age Group

	July	August	September	Total
PreSchool (<5)	36	38	44	118
Primary (5-12)	116	98	108	322
Junior High School (13-14)	37	29	32	98
High School (15-18)	57	57	53	167

II. Closed Cases

For this First Quarter, 665 cases were closed. These include cases that were dismissed, withdrawn by request of the parties, and those that were resolved successfully prior to or after hearing. Of the 665 cases closed during this quarter, 38 percent settled outside mediation and/or a resolution session and 30 percent settled in mediation, for a total settlement rate of 68 percent. Reporting by the parties on the success of the IDEIA mandated resolution session is inconsistent and only 63 cases (9 percent) were reported resolved in the mandated resolution session. A number of cases (16 percent) were withdrawn by the petitioner without a stated reason for withdrawal. A summary of the disposition status of these cases follows:

Settled Outside Mediation or Resolution Session	255
Settled in Mediation ⁵	198
Settled in Settlement Conference	1
Resolved through Resolution Session	63
Withdrawn by Petitioner	107
Dismissal Order by Administrative Law Judge	13
Dismissed via Notice of Insufficiency	16
Dismissed due to Inactivity	12
Total Number of Closed Cases	665

⁴ The data for this section reflects the multiple requests received per complaint. Each issue is counted and identified in the appropriate category.

⁵ Settlement during mediation is a case closure category, not a measure of success at mediation. For example, it does not encompass the significant number of matters that settled after progress toward settlement was made during mediation. Referral to the actual number of cases that reached impasse during mediation is a more accurate reflection of the success of mediation and is reflected in section III below.

III. Mediations.

OAH began holding mediations on January 1, 2006. Unless the parties indicate that mediation is waived, when a request for due process hearing is received, OAH schedules an initial mediation date. This quarter, 1095 mediations were scheduled.⁶ The parties proceeded on the initial mediation date in 602 cases and rescheduled the initial mediation date in 493 cases. In 36 cases, the parties waived mediation and in 198 cases, the parties cancelled mediation or did not appear at the mediation session. Lastly, 83 cases were resolved before mediation occurred.

Total Number of Mediation Requests	705
Number of Mediation-Only Requests	49
Number of Mediation requests related to Due Process Hearings	656
Number of Mediation-Only Requests Resolved through Mediation	31
Number of Mediations related to Due Process hearing resolved through Mediation ⁷	198
Total Number of Pending Mediations ⁸	1062

During this Quarter, OAH facilitated 396 mediation sessions. Of the 396 mediations held, 121 (31 percent) resulted in an impasse. Consequently, mediations held by OAH were successful in 69 percent of the cases. The overall breakdown is as follows:

Total Mediations	Final Agreement	Interim Agreement	No Agreement "Impasse"	In Principle	Continued
396	198	55	121	9	13

IV. Due Process Hearings.

During this Quarter, final due process hearing decisions were issued in 39 cases. Copies of all decisions have been provided to CDE and were posted on the OAH website. CDE has asked OAH to report data on the prevailing party in each case, the number of issues decided in favor of each party in a split decision, the number of represented parties, how long the hearings take, the average amount of time each party is using at hearing, and how many witnesses each party is calling at hearing. The breakdown of data is as follows.

⁶ This number reflects the total number of mediations scheduled which will not necessarily coincide with the number of case filings. Many cases have second and third mediation dates scheduled and therefore, the actual number of mediations held is greater than the number of case filings.

⁷ As discussed in footnote 2, this number reflects the use of mediation as a case closure category. The actual success of mediation is best measured through identification of the number of mediations that reached impasse and is discussed further in this report.

⁸ This number represents the total number of cases requested, less the number of cases settled. In actuality, the total number of pending mediation cases is a combination of the total number of cases reported previously plus the new filings reported here, less the number of closed cases.

Prevailing Party

	July	August	September	Total
Student Prevailed	1	0	2	3
District Prevailed	6	7	11	24
Split Decision	2	7	3	12

The cases with split decisions involved a total of 60 issues over 12 cases. In those cases, parents prevailed on a total of 30 issues and districts prevailed on 30 issues.

Represented Parties

	July	August	September	Total
Parent Attorney	3	9	11	23
Parent Advocate	3	0	2	5
Pro Per Parent	3	5	3	11 ⁹
District Attorney	8	14	16	39
District Advocate	0	0	0	0
Pro Per District	0	0	0	0

Hearing Dates, Time Used, and Witnesses

	July	August	September	Average ¹⁰
Total Number of Hearing Days	3.33	4.5	4.125	4.07
% time for Student Presentation of Case	58%	55%	56%	56%
% Time for District Presentation of Case	42%	45%	44%	44%
Number of Witnesses called by Student	3.5	4.5	5.06	4.25
Number of Witnesses called by District	4.2	4.1	4.36	4.25

Of the decisions issued, cases involving preschool students represented 5 percent of the cases heard, with 31 percent involving elementary school students, 31 percent involving middle school students, and 33 percent involving high school students. The issues for hearing involved students identified as specific learning disabled (9 cases), autistic-like (9 cases), other health impaired (17 cases), speech and language impaired (2 cases), orthopedically impaired (1 case), and multiple disabilities (1 case).

Of the 39 decisions issued, 28 (72 percent) were issued within the requisite timeframe and 11 were issued after the established timeline. The timeliness of decisions issued during the first quarter increased from 57 percent during the previous quarter to 72 percent.

⁹ In two cases the parent or another representative did not appear at the hearing.

¹⁰ The average is calculated based on the total number of decisions issued this quarter.

Specific hearing statistics are summarized below:

Total Number of Hearing Requests ¹¹	705
Number of Cases resolved through settlement	454
Number of Decisions Issued	39
Number of Decisions within 45 day timeline	3
Number of Decisions within extended timeline	24
Number of Decisions issued after timelines and extension expired	11
Number of pending matters ¹²	1062
Number of expedited Hearings	2
Number of Hearing Requests resolved without a hearing	665

V. Expedited Hearing Requests

For this quarter, OAH received 4 requests for expedited hearings. An expedited hearing is a hearing that involves a parent's challenge to the school district's determination that misconduct was not the "manifestation" of the student's disability or challenges the disciplinary placement. Under the IDEIA, expedited hearings are to be held within 20 school days of the request for hearing. A decision in expedited cases is to be issued within 10 schools days after the hearing is concluded. Two cases proceeded to hearing on the expedited issues and two cases were settled without the need for a hearing. The specific statistics related to expedited hearings are as follows:

Total Number of Expedited Hearing Requests	4
Number of Settlement Agreements	2
Number of Expedited Hearings Held	2
Number of change of placement ordered	0

VI. Motions

Prehearing motions and Notices of Insufficiency (NOI) comprise a substantial amount of the work completed by administrative law judges. For this quarter, 464 prehearing motions and 179 NOIs were considered and ruled upon by OAH. CDE has asked OAH to collect data on the party filing the motion or NOI, the prevailing party on the motion, and the number of parent cases dismissed for insufficiency.

Notice of Insufficiency

	July	August	September	Total
NOI	48	42	40	130
Second NOI	17	16	11	44
Third NOI	1	3	0	4
Fourth NOI	0	0	1	1

¹¹ This number represents the total number of new cases requested.

¹² As discussed in footnote 8.

Motions

Type of Motion	July	August	September	Total
Add Party	5	2	2	9
Amend Complaint	7	8	9	24
Clarification	1	0	2	3
Compel	0	1	1	2
Consolidate	1	8	6	15
Continue	17	13	16	46
Dismiss Case	10	16	17	43
Dismiss Party	2	4	0	6
Dismiss Issues	3	3	2	8
Expedite	1	0	4	5
Extend Time	3	3	0	6
OSC	0	0	2	2
Quash	0	3	2	5
Reconsideration	7	5	6	18
Reopen	0	1	0	1
Resolution Session	0	1	2	3
Sanctions	3	2	2	7
Stay Put	17	25	28	70
Miscellaneous	5	2	3	10
Total	149	158	157	464

Filing Party and Prevailing Party

	July	August	September	Total
Number of NOIs filed by Student	0	3	4	7
Number of NOIs filed by District	66	58	48	172
Number of Student NOIs granted	0	0	0	0
Number of Student NOIs granted in part	0	0	1	1
Number of District NOIs granted	34	20	18	72
Number of District NOIs granted in part	10	11	9	30
Number of Student filed motions	41	58	67	166
Number of District filed motions	42	39	38	119
Number of Student Motions granted	16	17	18	51
Number of Student Motions granted in part	10	0	0	10
Number of District Motions granted	13	16	9	38
Number of District Motions granted in part	1	4	2	7

VII. INTERPRETERS

CDE has requested OAH collect data on the number of non-English students accessing the due process system as well as the number of students of color accessing the system. OAH does not currently have a system in place to collect data related to the number of students of color accessing the system. Tracking the number of non-English speaking students accessing the system is also problematic. Currently, the best measure for the number of non-English speaking students accessing the system is via a report on the number of interpreters requested. Over the next quarter OAH will be working to establish systems to request information relating to both categories.

During this quarter, the assistance of an interpreter was requested in 68 cases. Of those requests, 56 were from the greater Los Angeles area, three were from the San Diego/South Bay area, and six were from the Northern California area. The largest number of requests was for Spanish interpretation with 54 requests, followed by two American Sign Language, two Korean, two Cantonese, and one each for Farsi, Thai, Vietnamese, and Tagalog.

VIII. TRANSCRIPT REQUESTS

CDE has requested OAH collect and report data on the number of cases appealed. OAH is not always notified when a case is appealed. Requests for transcripts are not an accurate picture of the total number of cases appealed because provision of a transcript does not necessarily relate to the filing of an appeal. Absent notification from the court or parties, it is not possible for OAH to report how many cases are appealed.

OAH received 37 requests for transcripts during this quarter. OAH was named as a party in 7 appeals and 1 other was filed but did not name OAH. Currently 11 cases are pending appeal throughout California.

IX. PENDING CASES

At the present time, there are 1062 matters pending before OAH.

ATTACHMENT

Cases Opened 7/1/2006 thru 9/30/2006

School District	Parent Filed	District Files	Total Filed
LOS ANGELES U.S.D.	261	1	262
SAN DIEGO U.S.D.	25	1	26
POWAY U.S.D.	11	4	15
SAN FRANCISCO U.S.D.	14	0	14
CAPISTRANO U.S.D.	7	6	13
CORONA-NORCO USD	9	1	10
IRVINE U.S.D.	7	3	10
LONG BEACH U.S.D.	9	0	9
NEWPORT-MESA USD	5	3	8
ELK GROVE U.S.D.	6	1	7
MT. DIABLO USD	6	1	7
SACRAMENTO CITY U.S.D.	6	0	6
ORANGE USD	5	0	5
PASADENA U.S.D.	5	0	5
SAN JUAN U.S.D.	5	0	5
SANTA ANA U.S.D.	4	1	5
TORRANCE U.S.D.	4	1	5
WEST CONTRA COSTA USD	4	1	5
ARCADIA U.S.D.	4	0	4
BUENA PARK S.D.	2	2	4
CULVER CITY U.S.D.	4	0	4
DOWNEY U.S.D.	4	0	4
ETIWANDA S.D.	4	0	4
GARDEN GROVE U.S.D.	4	0	4
GATEWAY U.S.D.	4	0	4
GLENDORA U.S.D.	4	0	4
MANHATTAN BEACH U.S.D.	2	2	4
OAKLAND U.S.D.	4	0	4
PLACENTIA-YORBA LINDA U.S.D.	4	0	4
RIVERSIDE U.S.D.	3	1	4
SANTA MONICA-MALIBU USD	4	0	4
TUSTIN U.S.D.	3	1	4
VALLEY CENTER U.S.D.	3	1	4
YUCAIPA-CALIMESA JT. U.S.D.	4	0	4
ABC U.S.D.	3	0	3
ANAHEIM CITY S.D.	2	1	3
ANTELOPE VALLEY U.H.S.D.	3	0	3
BELLFLOWER U.S.D.	3	0	3
BEVERLY HILLS U.S.D.	2	1	3
BONITA U.S.D.	3	0	3
COMPTON U.S.D.	3	0	3
FULLERTON JOINT UNION H.S.D.	3	0	3
HAYWARD U.S.D.	3	0	3
LANCASTER S.D.	2	1	3
LAS VIRGENES U.S.D.	3	0	3
PALOS VERDES PENINSULA USD	1	2	3
RESCUE UNION E.S.D.	2	1	3
SADDLEBACK VALLEY U.S.D.	3	0	3

Cases Opened 7/1/2006 thru 9/30/2006

School District	Parent Filed	District Files	Total Filed
SAN JOSE USD	2	1	3
SAN LUIS COASTAL U.S.D.	2	1	3
SAN MATEO UNION HSD	3	0	3
SAN RAMON VALLEY U.S.D.	3	0	3
SIMI VALLEY U.S.D.	3	0	3
ALAMEDA USD	2	0	2
ALHAMBRA S.D.	2	0	2
AMADOR CO. USD	2	0	2
BERKELEY U.S.D.	2	0	2
CAJON VALLEY U.S.D.	2	0	2
CHULA VISTA E.S.D.	2	0	2
COLTON JOINT U.S.D.	2	0	2
COVINA-VALLEY U.S.D.	2	0	2
DUBLIN U.S.D.	1	1	2
EL SEGUNDO U.S.D.	2	0	2
ENCINITAS U.S.D.	1	1	2
ESCONDIDO U.S.D.	2	0	2
GARVEY S.D.	2	0	2
GLENDALE U.S.D.	2	0	2
GROSSMONT UNION H.S.D.	1	1	2
INGLEWOOD U.S.D.	2	0	2
LUCIA MAR U.S.D.	2	0	2
MARTINEZ U.S.D.	2	0	2
MONTEBELLO USD	0	2	2
NEW HAVEN U.S.D.	2	0	2
OAK GROVE S.D.	2	0	2
OCEAN VIEW S.D.	2	0	2
ORANGE CO. DEPT. OF ED.	1	1	2
PALO ALTO U.S.D.	2	0	2
REDONDO BEACH U.S.D.	2	0	2
RIALTO U.S.D.	1	1	2
ROMOLAND S.D.	1	1	2
ROSEVILLE E.S.D.	2	0	2
SAN DIEGUITO UNION H.S.D.	2	0	2
SAUGUS UNION S.D.	0	2	2
TAMALPAIS UNION H.S.D.	2	0	2
TURLOCK U.S.D.	1	1	2
VISTA U.S.D.	2	0	2
WEST COVINA USD	2	0	2
WHITTIER UNION H.S.D.	1	1	2
WOODLAND JT. U.S.D.	2	0	2
ACALANES U.H.S.D.	1	0	1
ALVORD U.S.D.	1	0	1
BAKERSFIELD CITY S.D.	1	0	1
BASSETT USD	1	0	1
BEAUMONT U.S.D.	1	0	1
BUCKEYE S.D.	1	0	1
BURBANK U.S.D.	1	0	1

Cases Opened 7/1/2006 thru 9/30/2006

School District	Parent Filed	District Files	Total Filed
BYRON UNION S.D.	1	0	1
CARLSBAD U.S.D.	1	0	1
CENTINELA VALLEY U.H.S.D.	1	0	1
CENTRALIA S.D.	1	0	1
CHAFFEY JT. U.H.S.D.	1	0	1
CHINO VALLEY U.S.D.	1	0	1
CLOVIS U.S.D.	1	0	1
COALINGA-HURON JT. U.S.D.	1	0	1
CUPERTINO UNION S.D.	1	0	1
DAVIS JT. U.S.D.	1	0	1
DESERT SANDS U.S.D.	1	0	1
DIXIE E.S.D.	1	0	1
DRY CREEK JT. E.S.D.	1	0	1
EAST SIDE UNION H.S.D.	1	0	1
EAST WHITTIER CITY S.D.	1	0	1
EL DORADO U.H.S.D.	1	0	1
EVERGREEN S.D.	1	0	1
FAIRFIELD SUISUN U.S.D.	1	0	1
FALLBROOK U.H.S.D.	0	1	1
FALLBROOK UNION E.S.D.	1	0	1
FRANKLIN MCKINLEY S.D.	1	0	1
FRESNO U.S.D.	1	0	1
HESPERIA U.S.D.	1	0	1
HIGH TECH MIDDLE MEDIA ARTS	0	1	1
HUNTINGTON BEACH CITY S.D.	1	0	1
HUNTINGTON BEACH U.H.S.D.	1	0	1
KONOCTI U.S.D.	1	0	1
LA CANADA U.S.D.	1	0	1
LAKE ELSINORE U.S.D.	1	0	1
LIVE OAK E.S.D (SANTA CRUZ)	1	0	1
LIVERMORE VALLEY JT. USD	1	0	1
LOS BANOS USD	0	1	1
LYNWOOD USD	1	0	1
MOJAVE UNIFIED S.D.	1	0	1
MONROVIA U.S.D.	0	1	1
MONTEREY PENINSULA USD	1	0	1
MOOR PARK U.S.D.	1	0	1
MOUNTAIN VIEW-WHISMAN SD	0	1	1
NATOMAS U.S.D.	1	0	1
NORTH MONTEREY CO. U.S.D.	1	0	1
NORWALK/LA MIRADA U.S.D.	1	0	1
NOVATO U.S.D.	1	0	1
OAK PARK USD	1	0	1
ONTARIO-MONTCLAIR S.D.	1	0	1
ORANGE CO. HEALTH CARE AGENCY	1	0	1
ORINDA UNION S.D.	0	1	1
PACIFIC GROVE U.S.D.	1	0	1

Cases Opened 7/1/2006 thru 9/30/2006

School District	Parent Filed	District Files	Total Filed
PACIFICA SCHOOL DISTRICT	1	0	1
PALMDALE S.D.	1	0	1
PALO VERDE U.S.D.	1	0	1
PARAMOUNT U.S.D.	1	0	1
PERRIS E.S.D.	1	0	1
PERRIS U.H.S.D.	1	0	1
PETALUMA JT. UNION H.S.D.	1	0	1
PIEDMONT U.S.D.	1	0	1
PIONEER U.E.S.D. HANFORD	0	1	1
PLEASANT VALLEY SD (CAMARILLO)	0	1	1
PLEASANTON U.S.D.	1	0	1
RANCHO SANTA FE S.D.	1	0	1
REDWOOD CITY E.S.D.	1	0	1
RIO LINDA UNION S.D.	0	1	1
RIPON UNIFIED S. D.	1	0	1
ROCKLIN U.S.D.	1	0	1
ROSEDALE UNION E.S.D.	0	1	1
ROWLAND U.S.D.	1	0	1
SALIDA U.S.D.	0	1	1
SALINAS UNION H.S.D.	1	0	1
SAN BERNARDINO C.C.D.	1	0	1
SAN BRUNO PARK S.D.	1	0	1
SAN GABRIEL U.S.D.	1	0	1
SAN LEANDRO U.S.D.	1	0	1
SAN MATEO-FOSTER CITY S.D.	1	0	1
SAN YSIDRO S.D.	1	0	1
SANTA CLARA USD	1	0	1
SANTA MARIA JOINT U.H.S.D.	1	0	1
SANTA ROSA CITY SCHOOLS	1	0	1
SANTEE S.D.	1	0	1
SEQUOIA U.H.S.D.	1	0	1
SHANDON JT. U.S.D.	1	0	1
SOUTH PASADENA U.S.D.	1	0	1
STANISLAUS UNION E.S.D.	0	1	1
STOCKTON U.S.D.	1	0	1
SULPHUR SPRINGS U.S.D	1	0	1
SWEETWATER UNION H.S.D.	1	0	1
SYLVAN UNION S.D.	1	0	1
TEMECULA VALLEY U.S.D.	1	0	1
TWIN RIDGES E.S.D.	1	0	1
UNION S. D.	1	0	1
VACAVILLE U.S.D.	1	0	1
VALLEJO CITY U.S.D.	1	0	1
WESTSIDE UNION E.S.D.	1	0	1
WHITTIER CITY S.D.	1	0	1
WILLIAM S. HART UHSD	1	0	1

EXHIBIT 11



**OFFICE OF ADMINISTRATIVE HEARINGS
SPECIAL EDUCATION DIVISION**

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State of California

Department of General Services

**SPECIAL EDUCATION DIVISION
QUARTERLY REPORT
SECOND QUARTER 2006/2007 FISCAL YEAR
October 1, 2006 – December 31, 2006**

Pursuant to the June 1, 2005 interagency agreement between the Office of Administrative Hearings (OAH), and the California Department of Education (CDE), OAH is required to collect particular data on the operation of its program and to report on that data quarterly. Effective October 1, 2006, OAH has also been asked to collect additional data points that elaborate upon matters already reported on a quarterly basis.

I. Case Filings

The total number of new case filings for this quarter was 679.

	Total
Student Filed Cases	553
District Filed Cases	59
Expedited Cases	15
Mediation Only	52
Total	679

Of the combined total of 679 new cases, the largest number involves the Los Angeles Unified School District with 202 cases or 30 percent of total cases filed. This is followed by San Diego City Unified School District with 19 new requests, Newport-Mesa Unified School District with 19 new requests and Capistrano Unified School District with 14 new requests. A complete breakdown by school district for the quarter is attached to this report. Also included in the breakdown is the number of parent requests per district.

Due process hearing requests are received from a variety of sources. CDE requests that OAH collect data on the number of hearing requests in which parents and school districts were represented by attorneys.¹

¹ This data is collected based upon information provided at the time the case is closed, whether by settlement, withdrawal, or decision. Due to the shifting nature of representation in special education disputes, it is not possible to collect data at the time the request is filed. Consequently, it is not accurate

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23046 Avenida De La Carlota
Suite 750
Laguna Hills, CA 92653
949 598-5850 phone
949 598-5860 fax

Legal Representation

Student(s) with Legal Representation	394
District(s) with Legal Representation	278

For new hearing requests, CDE also requested that OAH collect data on the issues, identified student disability, and the age groups which generate due process hearing complaints².

Disability Categories³

	October	November	December	Total
Autism	55	17	98	170
Deaf-Blindness	0	0	3	3
Deafness	2	1	2	5
Hearing Impaired	3	1	4	8
Mental Retardation	11	9	11	31
Multiple Disabilities	2	0	3	5
Orthopedic Impairment	3	0	7	10
Serious Emotional Disturbance	12	5	24	41
Specific Learning Disability	20	14	63	97
Speech and Language	15	3	37	55
Traumatic Brain Injury	0	0	0	0
Visual Impairment	0	0	3	3
Other Health Impaired	17	6	42	65
Not Stated	49	81	112	242

to assume that the number of pro per cases filed each quarter can be calculated by subtracting the number of represented cases from the total number of cases filed.

² This data is collected based upon information available at the time the case is closed, whether by settlement, withdrawal, or decision. Due to the varying nature of issues in special education disputes, it is not possible to collect data at the time the request is filed. Consequently, the data reported in this section will not correspond to the total number of new cases opened.

³ The number of disabilities will not equal the total number of cases because some cases identified multiple disabilities for the student.

Issues ⁴

Eligibility	84
Goals and Objectives	173
Placement	575
Other Designated Instruction and Services	274
ABA / One-to-One Aid	320
Speech and Language	251
Occupational Therapy	163
Mental Health Services	67
Private Services	484
Discipline	12
Assessment	312
Extended School Year	98
Reimbursement	276
Compensatory Education	201
Separate Procedural Issues	123

Age Group

	Total ⁵
PreSchool (<5)	107
Primary (5-12)	310
Junior High School (13-14)	112
High School (15-18)	172

II. Closed Cases

For this Second Quarter, 675 cases were closed. These include cases that were dismissed, withdrawn by request of the parties, and those that were resolved successfully prior to or after hearing. Of the 675 cases closed during this quarter, 40 percent settled outside mediation or a resolution session and 28 percent settled in mediation, for a total settlement rate of 68 percent. Reporting by the parties on the success of the IDEIA mandated resolution session is inconsistent and only 49 cases (7 percent) were reported resolved in the mandated resolution session. A number of cases (20 percent) were withdrawn by the petitioner without a stated reason for withdrawal. A summary of the disposition status of these cases follows:

⁴ The data for this section reflects the multiple issues, identified in the complaints. Each issue is counted and identified in the appropriate category.

⁵ This data is taken at the time cases are closed. The total includes Closed Cases plus Decisions

Case Disposition

Settled Outside Mediation or Resolution Session	267
Settled in Mediation ⁶	186
Settled in Settlement Conference	0
Resolved through Resolution Session	49
Withdrawn by Petitioner	115
Dismissal Order by Administrative Law Judge	22
Dismissed via Notice of Insufficiency	20
Dismissed due to Inactivity	16
Total Number of Closed Cases	675

III. Mediations.

This quarter, 941 mediations were scheduled.⁷ The parties proceeded on the initial mediation date in 529 cases. In 39 cases, the parties waived mediation and in 236 cases, the parties cancelled mediation or did not appear at the mediation session. Lastly, 67 cases were resolved before mediation occurred.

Total Number of Mediation Requests	679
Number of Mediation-Only Requests	52
Number of Mediation requests related to Due Process Hearings	627
Number of Mediation-Only Requests Resolved through Mediation	22
Number of Mediations related to Due Process hearing resolved through Mediation ⁸	164
Total Number of Pending Mediations ⁹	981

During this Quarter, OAH facilitated 444 mediation sessions. Of the 444 mediations held, 159 (36 percent) resulted in an impasse. Consequently, mediations held by OAH were successful in 64 percent of the cases. The overall breakdown is as follows:

⁶ Settlement during mediation is a case closure category, not a measure of success at mediation. For example, it does not encompass the significant number of matters that settled after progress toward settlement was made during mediation. Referral to the actual number of cases that reached impasse during mediation is a more accurate reflection of the success of mediation and is reflected in section III below.

⁷ This number reflects the total number of mediations scheduled which will not necessarily coincide with the number of case filings. Many cases have second and third mediation dates scheduled and therefore, the actual number of mediations held is greater than the number of case filings.

⁸ As discussed in footnote 2, this number reflects the use of mediation as a case closure category. The actual success of mediation is best measured through identification of the number of mediations that reached impasse and is discussed further in this report.

⁹ This number represents the total number of cases requested, less the number of cases settled. In actuality, the total number of pending mediation cases is a combination of the total number of cases reported previously plus the new filings reported here, less the number of closed cases.

Total Mediations	Final Agreement	Interim Agreement	No Agreement "Impasse"	In Principle	Continued
444	186	50	159	29	20

IV. Due Process Hearings.

During this Quarter, final due process hearing decisions were issued in 26 cases. Copies of all decisions have been provided to CDE and were posted on the OAH website. CDE has asked OAH to report data on the prevailing party in each case, the number of issues decided in favor of each party in a split decision, the number of represented parties, how long the hearings take, the average amount of time each party is using at hearing, and how many witnesses each party is calling at hearing. The breakdown of data is as follows.

Prevailing Party

	October	November	December	Total
Parent Prevailed	0	0	4	4
District Prevailed	4	7	5	16
Split Decision	0	3	3	6

Parents prevailed or received split decisions in 38 percent of the cases. The cases with split decisions involved a total of 84 issues over 6 cases. In those cases, parents prevailed on a total of 30 issues and districts prevailed on 54 issues.

Represented Parties

	October	November	December	Total
Parent Attorney	3	8	8	19
Parent Advocate	0	0	1	1
Pro Per Parent	1	2	3	6 ¹⁰
District Attorney	4	10	12	26
District Advocate	0	0	0	0
Pro Per District	0	0	0	0

¹⁰ In one case the parent or another representative did not appear at the hearing.

Hearing Dates, Time Used, and Witnesses¹¹

	October	November	December	Average
Total Number of Hearing Days (Avg.)	5	4.9	3	4.13
% time for Student Presentation of Case (Avg.)	53%	53%	46%	50%
% Time for District Presentation of Case (Avg.)	47%	47%	54%	50%
Number of Witnesses called by Student (Avg.)	8.5	6.5	4.66	5.96
Number of Witnesses called by District (Avg.)	6	5.5	5.08	5.38

Of the decisions issued, cases involving preschool students represented eight percent of the cases, with 50 percent involving elementary school students, 12 percent involving middle school students, and 31 percent involving high school students. The issues for hearing involved students identified as autistic-like (9 cases), specific learning disabled (8 cases), other health impaired (7 cases), speech and language impaired (2 cases), and serious emotional disturbance (1 case).

Of the 26 decisions issued, 25 (96 percent) were issued within the requisite timeframe and one was issued after the established timeline. The timeliness of decisions issued during the first quarter increased from 72 percent during the previous quarter to 96 percent.

Specific hearing statistics are summarized below:

Total Number of Hearing Requests ¹²	657 ¹³
Number of Cases resolved through settlement	434
Number of Decisions Issued	26
Number of Decisions within 45 day timeline	2
Number of Decisions within extended timeline	23
Number of Decisions issued after timelines and extension expired	1
Number of pending matters ¹⁴	981
Number of expedited Hearings	1
Number of Hearing Requests resolved without a hearing ¹⁵	675

¹¹ Averages are calculated based on the total number of decisions issued this quarter.

¹² This number represents the total number of new cases requested.

¹³ This number represents the number of Due Process Hearing request and does not include Mediation Only request.

¹⁴ As discussed in footnote 9.

¹⁵ This number represents the total number of closed cases that did not go to hearing.

V. Expedited Hearing Requests

For this quarter, OAH received 15 requests for expedited hearings. An expedited hearing is a hearing that involves a parent's challenge to the school district's determination that misconduct was not the "manifestation" of the student's disability or a challenge to the disciplinary placement. Under the IDEIA, expedited hearings are to be held within 20 school days of the request for hearing. A decision in expedited cases is to be issued within 10 schools days after the hearing is concluded. One case proceeded to hearing on the expedited issues, six cases were settled without the need for a hearing and there are eight cases that are pending. The specific statistics related to expedited hearings are as follows:

Total Number of Expedited Hearing Requests	15
Number of Settlement Agreements	6
Number of Expedited Hearings Held	1
Number of Pending Expedited matters	8
Number of change of placement ordered	0

VI. Motions

Prehearing motions and Notices of Insufficiency (NOI) comprise a substantial amount of the work completed by administrative law judges. For this quarter, 436 prehearing motions and 180 NOIs were considered and ruled upon by OAH. CDE has asked OAH to collect data on the party filing the motion or NOI, the prevailing party on the motion, and the number of parent cases dismissed for insufficiency¹⁶.

Notice of Insufficiency

	October	November	December	Total
NOI	82	37	34	153
Second NOI	6	11	4	21
Third NOI	2	0	4	6

¹⁶ See Section II for the number of dismissals due to insufficiencies.

Motions

Type of Motion	October	November	December	Total
Add Party	7	6	4	17
Amend Complaint	8	7	4	19
Clarification	0	0	2	2
Compel	3	0	0	3
Consolidate	9	11	5	25
Continue	13	7	18	38
Dismiss Case	26	20	18	64
Dismiss Party	1	0	1	2
Dismiss Issues	2	3	1	6
Expedite	1	0	1	2
Extend Time	4	4	0	8
OSC	1	0	0	1
Quash	0	1	0	1
Reconsideration	7	0	6	13
Reopen	0	1	0	1
Resolution Session	0	0	0	0
Sanctions	2	0	0	2
Stay Put	18	13	9	40
Miscellaneous	4	3	5	12
Total	196	124	116	436

Filing Party and Prevailing Party

	October	November	December	Total
Number of NOIs filed by Student	2	3	1	6
Number of NOIs filed by District	88	45	41	174
Number of Student NOIs granted	0	0	0	0
Number of Student NOIs granted in part	1	0	0	1
Number of District NOIs granted	33	12	10	55
Number of District NOIs granted in part	15	8	7	30
Number of Student filed motions	54	33	28	115
Number of District filed motions	53	43	47	143
Number of Student Motions granted	10	18	6	34
Number of Student Motions granted in part	1	1	2	4
Number of District Motions granted	20	13	14	47
Number of District Motions granted in part	2	0	1	3

VII. Interpreters

During this quarter, the assistance of an interpreter was requested in 78 cases. Of those requests, 60 were from the greater Los Angeles area, 13 were from the San Diego/South Bay area, and five were from the Northern California area. The largest number of requests was for Spanish interpretation with 63 requests, followed by five Korean, five Mandarin, and one each for American Sign Language, Japanese, Pasla, Russian, and Taiwanese.

VIII. Students of Color

CDE has requested that OAH collect data on the number of non-English students accessing the due process system as well as the number of students of color accessing the system. OAH did not have a system in place over the second quarter to collect data related to the number of students of color accessing the system. Tracking the number of non-English speaking students accessing the system was also problematic. The best measure for tracking the number of non-English speaking students accessing the system was via the number of interpreters requested, and reported above. Over the next quarter OAH will be exploring appropriate means by which information relating to both categories on its Due Process Hearing request form might be collected. Once a system is in place by which parents understand such data is both optional and confidential, the information may be collected and summarized in future quarterly reports.

IX. Transcript Requests

CDE has requested that OAH collect and report data on the number of cases appealed. OAH is not always notified when a case is appealed. Requests for transcripts are not an accurate picture of the total number of cases appealed because provision of a transcript does not necessarily relate to the filing of an appeal. Absent notification from the court or parties, it is not possible for OAH to report how many cases are appealed.

OAH received 27 requests for transcripts during this quarter. OAH is aware of being named as a party in eight appeals. Currently 18 cases are pending appeal throughout California.

X. Pending Cases

At the present time, there are 981 matters pending before OAH.

Cases Opened 10/1/2006 thru 12/30/2006				
School District	Parent Filed	District Filed	Total Filed 2 nd Qtr.	Total Filed 2006/2007
LOS ANGELES U.S.D.	198	4	202	464
SAN DIEGO CITY U.S.D.	18	1	19	45
NEWPORT-MESA USD	18	1	19	27
CAPISTRANO U.S.D.	11	3	14	27
SAN FRANCISCO U.S.D.	12	1	13	27
IRVINE U.S.D.	7	2	9	19
ORANGE USD	6	3	9	14
PLACENTIA-YORBA LINDA U.S.D.	7	1	8	12
ELK GROVE U.S.D.	7	0	7	14
OCEAN VIEW S.D.	5	2	7	9
PASADENA U.S.D.	6	1	7	12
SAN RAMON VALLEY U.S.D.	7	0	7	10
SIMI VALLEY U.S.D.	7	0	7	10
WEST CONTRA COSTA USD	7	0	7	12
INGLEWOOD U.S.D.	6	0	6	8
LONG BEACH U.S.D.	5	1	6	15
SANTA MONICA-MALIBU USD	6	0	6	10
ACALANES U.H.S.D.	5	0	5	6
ALAMEDA USD	3	2	5	7
BELLFLOWER U.S.D.	5	0	5	8
COMPTON U.S.D.	5	0	5	8
LANCASTER S.D.	5	0	5	8
OAKLAND U.S.D.	5	0	5	9
POWAY U.S.D.	4	1	5	20
REDLANDS U.S.D.	5	0	5	5
TORRANCE U.S.D.	5	0	5	10
BERKELEY U.S.D.	4	0	4	6
HAYWARD U.S.D.	4	0	4	7
HUNTINGTON BEACH CITY S.D.	3	1	4	5
LAS VIRGENES U.S.D.	3	1	4	7
MT. DIABLO USD	4	0	4	11
NOVATO U.S.D.	4	0	4	5
SACRAMENTO CITY U.S.D.	4	0	4	10
SANTA ANA U.S.D.	4	0	4	9
WHITTIER UNION H.S.D.	4	0	4	6
ANAHEIM CITY S.D.	3	0	3	6
BEVERLY HILLS U.S.D.	3	0	3	6
BUENA PARK S.D.	1	2	3	7
CONEJO VALLEY U.S.D.	3	0	3	3
CULVER CITY U.S.D.	3	0	3	7
HEMET U.S.D.	1	2	3	3
LYNWOOD USD	3	0	3	4
MONTEBELLO USD	3	0	3	5
MONTEREY PENINSULA USD	2	1	3	4

NAPA VALLEY U.S.D.	3	0	3	3
OCEANSIDE U.S.D.	2	1	3	3
ORANGE CO. DEPT. OF ED.	3	0	3	5

Cases Opened 10/1/2006 thru 12/30/2006

School District	Parent Filed	District Filed	Total Filed 2 nd Qtr.	Total Filed 2006/2007
PAJARO VALLEY U.S.D.	3	0	3	3
RIPON UNIFIED S. D.	3	0	3	4
RIVERSIDE U.S.D.	3	0	3	7
SACRAMENTO CO OFF. OF ED.	3	0	3	3
SADDLEBACK VALLEY U.S.D.	3	0	3	6
SAN BERNARDINO CITY USD	3	0	3	3
SAN JOSE USD	3	0	3	6
SONOMA VALLEY U.S.D.	3	0	3	3
VENTURA U.S.D.	3	0	3	3
YUBA CITY U.S.D.	3	0	3	3
ANAHEIM U.H.S.D.	2	0	2	2
BAKERSFIELD CITY S.D.	2	0	2	3
BALDWIN PARK U.S.D.	2	0	2	2
BONSALL UNION S.D.	1	1	2	2
CHINO VALLEY U.S.D.	2	0	2	3
CLOVIS U.S.D.	1	1	2	3
CORONADO U.S.D.	2	0	2	2
COVINA-VALLEY U.S.D.	2	0	2	4
EL RANCHO UNIFIED S.D.	2	0	2	2
FREMONT U.S.D.	2	0	2	2
FRESNO U.S.D.	1	1	2	3
GARDEN GROVE U.S.D.	2	0	2	6
GLENDALE U.S.D.	2	0	2	4
GROSSMONT UNION H.S.D.	1	1	2	4
KERN H.S.D.	1	1	2	2
LA CANADA U.S.D.	2	0	2	3
LAKE ELSINORE U.S.D.	2	0	2	3
LINCOLN U.S.D.	2	0	2	2
LODI U.S.D.	2	0	2	2
MANHATTAN BEACH U.S.D.	2	0	2	6
MANTECA U.S.D.	2	0	2	2
MODESTO CITY SCHOOLS	2	0	2	2
MORELAND S.D.	2	0	2	2
NORTH SACRAMENTO S.D.	2	0	2	2
PALMDALE S.D.	2	0	2	3
PALOS VERDES PENINSULA USD	0	2	2	5
PLEASANT VALLEY SD (CAMARILLO)	2	0	2	3
POMONA U.S.D.	1	1	2	2
RAVENSWOOD CITY S.D.	2	0	2	2
REED UNION S.D.	0	2	2	2
ROSEVILLE E.S.D.	2	0	2	4
ROSS S.D.	2	0	2	2
SAN JACINTO U.S.D.	0	2	2	2
SAN JUAN U.S.D.	2	0	2	7

SANTA BARBARA H.S.D.	2	0	2	2
SANTA MARIA JOINT U.H.S.D.	2	0	2	3
SAUGUS UNION S.D.	1	1	2	4
TEMECULA VALLEY U.S.D.	1	1	2	3

Cases Opened 10/1/2006 thru 12/30/2006

School District	Parent Filed	District Filed	Total Filed 2 nd Qtr.	Total Filed 2006/2007
TUSTIN U.S.D.	1	1	2	6
VACAVILLE U.S.D.	2	0	2	3
WEST COVINA USD	2	0	2	4
ALHAMBRA S.D.	1	0	1	3
ALPINE UNION S.D.	1	0	1	1
ALTA LOMA S. D.	1	0	1	1
ANTIOCH USD	1	0	1	1
APPLE VALLEY U.S.D.	1	0	1	1
BANNING U.S.D	1	0	1	1
BREA-OLINDA USD	1	0	1	1
BURLINGAME E.S.D.	1	0	1	1
CAMPBELL U.E.S.D.	1	0	1	1
CARLSBAD U.S.D.	1	0	1	2
CASTRO VALLEY U.S.D.	1	0	1	1
CHULA VISTA E.S.D.	0	1	1	3
CORONA-NORCO USD	1	0	1	11
CUPERTINO UNION S.D.	1	0	1	2
DESERT SANDS U.S.D.	1	0	1	2
DRY CREEK JT. E.S.D.	1	0	1	2
EAST WHITTIER CITY S.D.	1	0	1	2
EASTSIDE UNION S.D.	1	0	1	1
EL MONTE U.H.S.D.	1	0	1	1
EL SEGUNDO U.S.D.	1	0	1	3
ESCONDIDO U.S.D.	1	0	1	3
ETIWANDA S.D.	1	0	1	5
FAIRFIELD SUISUN U.S.D.	1	0	1	2
FIREBAUGH-LAS DELTAS U.S.D.	0	1	1	1
FOLSOM CORDOVA USD	1	0	1	1
FOUNTAIN VALLEY S.D.	1	0	1	1
FRANKLIN MCKINLEY S.D.	1	0	1	2
FULLERTON ELEMENTARY S.D.	1	0	1	1
FULLERTON JOINT UNION H.S.D.	1	0	1	4
GARVEY S.D.	1	0	1	3
GLENORA U.S.D	1	0	1	5
HIGH TECH MIDDLE MEDIA ARTS	1	0	1	2
HUNTINGTON BEACH U.H.S.D.	1	0	1	2
JOHN SWETT U.S.D.	1	0	1	1
JUVENILE JUSTICE EDUC SERVICES	1	0	1	1
KING CITY UNION E.S.D.	1	0	1	1
KINGS CO. OFFICE OF ED.	1	0	1	1
LAWNDALE S. D.	1	0	1	1
LOS ALAMITOS U.S.D.	1	0	1	1
MARTINEZ U.S.D.	1	0	1	3
MILL VALLEY E.S.D	1	0	1	1

MONROVIA U.S.D.	0	1	1	2
MORONGO U.S.D.	1	0	1	1
NEWARK U.S.D.	1	0	1	1
NORTH WOODS DISCOVERY SCHOOL	1	0	1	1

Cases Opened 10/1/2006 thru 12/30/2006

School District	Parent Filed	District Filed	Total Filed 2 nd Qtr.	Total Filed 2006/2007
NORWALK/LA MIRADA U.S.D.	1	0	1	2
OAKLEY UNION E.S.D.	1	0	1	1
ORANGE CO. HEALTH CARE AGENCY	1	0	1	2
OXNARD ELEMENTARY SCHOOL	1	0	1	1
PACIFICA SCHOOL DISTRICT	1	0	1	2
PANAMA-BUENA VISTA UNION S.D.	0	1	1	1
PARADISE U.S.D.	1	0	1	1
PARAMOUNT U.S.D.	0	1	1	2
PLACER UNION H.S.D.	1	0	1	1
PLEASANTON U.S.D.	1	0	1	2
REDONDO BEACH U.S.D.	1	0	1	3
REDWOOD CITY E.S.D.	1	0	1	2
RESCUE UNION E.S.D.	1	0	1	4
RIALTO U.S.D.	1	0	1	3
RIO LINDA UNION S.D.	1	0	1	2
RIVERSIDE CO. OFFICE OF ED.	1	0	1	1
ROCKLIN U.S.D.	0	1	1	2
ROSEDALE UNION E.S.D.	0	1	1	2
SALIDA U.S.D.	1	0	1	1
SALINAS UNION H.S.D.	1	0	1	2
SAN DIEGUITO UNION H.S.D.	1	0	1	3
SAN LUIS COASTAL U.S.D.	1	0	1	4
SAN MATEO UNION HSD	1	0	1	4
SANTA CLARA USD	1	0	1	2
SEQUOIA U.H.S.D.	1	0	1	1
SISKIYOU UNION H.S.D.	1	0	1	1
SOLANA BEACH U.S.D.	0	1	1	1
SOQUEL E.S.D.	1	0	1	1
SOUTH PASADENA U.S.D.	0	1	1	1
SUNNYVALE ELEMENTARY S.D.	1	0	1	1
TAMALPAIS UNION H.S.D.	1	0	1	3
TEHACHAPI U.S.D.	1	0	1	1
TEMPLETON U.S.D.	1	0	1	1
TRACY JT. U.S.D.	1	0	1	1
TURLOCK U.S.D.	1	0	1	3
UNION S. D.	1	0	1	2
UPLAND U.S.D.	1	0	1	1
VALLEJO CITY U.S.D.	1	0	1	2
VALLEY CENTER U.S.D.	0	1	1	5
VISALIA U.S.D.	1	0	1	1
VISTA U.S.D.	0	1	1	3
WALNUT CREEK S.D.	1	0	1	1
WESTMINSTER S.D.	1	0	1	1

WESTSIDE UNION E.S.D.	1	0	1	2
WINTERS JT. U.S.D.	1	0	1	1
WOODLAKE U.S.D.	1	0	1	1
YUCAIPA-CALIMESA JT. U.S.D.	0	1	1	5
ABC U.S.D.	0	0	0	3

Cases Opened 10/1/2006 thru 12/30/2006

School District	Parent Filed	District Filed	Total Filed 2 nd Qtr.	Total Filed 2006/2007
ALVORD U.S.D.	0	0	0	1
AMADOR CO. USD	0	0	0	2
ANTELOPE VALLEY U.H.S.D.	0	0	0	3
ARCADIA U.S.D.	0	0	0	4
BASSETT USD	0	0	0	1
BEAUMONT U.S.D.	0	0	0	1
BONITA U.S.D.	0	0	0	3
BUCKEYE S.D.	0	0	0	1
BURBANK U.S.D.	0	0	0	1
BYRON UNION S.D.	0	0	0	1
CAJON VALLEY U.S.D.	0	0	0	2
CENTINELA VALLEY U.H.S.D.	0	0	0	1
CENTRALIA S.D.	0	0	0	1
CHAFFEY JT. U.H.S.D.	0	0	0	1
COALINGA-HURON JT. U.S.D.	0	0	0	1
COLTON JOINT U.S.D.	0	0	0	2
DAVIS JT. U.S.D.	0	0	0	1
DIXIE E.S.D.	0	0	0	1
DOWNEY U.S.D.	0	0	0	4
DUBLIN U.S.D.	0	0	0	2
EAST SIDE UNION H.S.D.	0	0	0	1
EL DORADO U.H.S.D.	0	0	0	1
ENCINITAS U.S.D.	0	0	0	2
EVERGREEN S.D.	0	0	0	1
FALLBROOK U.H.S.D.	0	0	0	1
FALLBROOK UNION E.S.D.	0	0	0	1
GATEWAY U.S.D.	0	0	0	4
HESPERIA U.S.D.	0	0	0	1
KONOCTI U.S.D.	0	0	0	1
LIVE OAK E.S.D (SANTA CRUZ)	0	0	0	1
LIVERMORE VALLEY JT. USD	0	0	0	1
LOS BANOS USD	0	0	0	1
LUCIA MAR U.S.D.	0	0	0	2
MOJAVE UNIFIED S.D.	0	0	0	1
MOOR PARK U.S.D.	0	0	0	1
MOUNTAIN VIEW-WHISMAN SD	0	0	0	1
NATOMAS U.S.D.	0	0	0	1
NEW HAVEN U.S.D.	0	0	0	2
NORTH MONTEREY CO. U.S.D.	0	0	0	1
OAK GROVE S.D.	0	0	0	2
OAK PARK USD	0	0	0	1
ONTARIO-MONTCLAIR S.D.	0	0	0	1
ORINDA UNION S.D.	0	0	0	1

PACIFIC GROVE U.S.D.	0	0	0	1
PALO ALTO U.S.D.	0	0	0	2
PALO VERDE U.S.D.	0	0	0	1
PERRIS E.S.D.	0	0	0	1
PERRIS U.H.S.D.	0	0	0	1

Cases Opened 10/1/2006 thru 12/30/2006

School District	Parent Filed	District Filed	Total Filed 2 nd Qtr.	Total Filed 2006/2007
PETALUMA JT. UNION H.S.D.	0	0	0	1
PIEDMONT U.S.D.	0	0	0	1
PIONEER U.E.S.D. HANFORD	0	0	0	1
RANCHO SANTA FE S.D.	0	0	0	1
ROMOLAND S.D.	0	0	0	2
ROWLAND U.S.D.	0	0	0	1
SALIDA U.S.D.	0	0	0	1
SAN BERNARDINO C.C.D.	0	0	0	1
SAN BRUNO PARK S.D.	0	0	0	1
SAN GABRIEL U.S.D.	0	0	0	1
SAN LEANDRO U.S.D.	0	0	0	1
SAN MATEO-FOSTER CITY S.D.	0	0	0	1
SAN YSIDRO S.D.	0	0	0	1
SANTA ROSA CITY SCHOOLS	0	0	0	1
SANTEE S.D.	0	0	0	1
SEQUOIA U.H.S.D.	0	0	0	1
SHANDON JT. U.S.D.	0	0	0	1
SOUTH PASADENA U.S.D.	0	0	0	1
STANISLAUS UNION E.S.D.	0	0	0	1
STOCKTON U.S.D.	0	0	0	1
SULPHUR SPRINGS U.S.D.	0	0	0	1
SWEETWATER UNION H.S.D.	0	0	0	1
SYLVAN UNION S.D.	0	0	0	1
TWIN RIDGES E.S.D.	0	0	0	1
WHITTIER CITY S.D.	0	0	0	1
WILLIAM S. HART UHSD	0	0	0	1
WOODLAND JT. U.S.D.	0	0	0	2

EXHIBIT 12



OFFICE OF ADMINISTRATIVE HEARINGS

State of California

SPECIAL EDUCATION DIVISION

Department of General Services

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SPECIAL EDUCATION DIVISION
 QUARTERLY REPORT
 THIRD QUARTER 2006/2007 FISCAL YEAR
 January 1, 2007 – March 31, 2007

Effective June 1, 2005, the Office of Administrative Hearings (OAH) entered into an interagency agreement with the California Department of Education (CDE) to administer the mandated special education dispute resolution program. That agreement obligates OAH to provide certain specified dispute resolution services in conformance with 20 U.S.C. section 1415 et seq., and California Education Code section 56500.1 et seq., as well as requires OAH to collect particular data on the operation of the program. OAH is obligated to report on that data quarterly. Effective July 1, 2006, OAH has also been asked to collect additional data points that elaborate upon matters already reported on a quarterly basis.

SUMMARY

During this quarter, OAH received 602 new requests for hearing and/or mediation and closed 857 cases leaving 818 open and active cases. OAH issued decisions in 35 cases, 34 of which were issued within the statutory timelines. Mediations were conducted in 390 cases with 63 percent of cases resolving in mediation. Overall, 96 percent of cases resolved without need for a due process hearing. Since July 2005, two OAH cases have been remanded on appeal for additional clarification. OAH is unaware of any cases being reversed or overturned.

During this quarter, OAH also began receiving public responses to an evaluation provided to all parties. Mediations, due process hearings, and the overall processes were rated based on a 1 through 5 scale, with 1 being poor and 5 being excellent. The individual question ratings ranged from an average of 3.52 to an average of 4.71. The average mediation evaluation score was 4.39 and the average hearing evaluation score was 4.28 for an overall average rating of 4.38.

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EX. 12
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I. CASE FILINGS

The total number of new case filings for this quarter was 602.

	January	February	March	Total
Student Filed Cases	157	142	171	470
District Filed Cases	16	18	29	63
Expedited Cases	2	10	4	16
Mediation Only	19	18	16	53
Total	231	188	220	602

Of the combined total of 602 new cases, the largest number involves the Los Angeles Unified School District with 190 cases or 32 percent of total cases filed. This is followed by San Diego Unified School District with 27 new requests and Newport-Mesa Unified School District with 11 requests. A complete breakdown of open case filings by school district for the quarter is attached to this report.

CDE requested OAH collect data on the number of hearing requests in which parents and school districts were represented by attorneys.¹

Student(s) with Legal Representation	325
District(s) with Legal Representation	261

For new hearing requests, CDE also requested OAH collect data on the issues, identified student disability, and the age groups which generate due process hearing complaints.²

Disability Categories³

Autism	142
Deaf-Blindness	7
Deafness	4
Hearing Impaired	11
Mental Retardation	34
Multiple Disabilities	6
Orthopedic Impairment	11
Emotional Disturbance	51
Specific Learning Disability	84
Speech and Language	44
Traumatic Brain Injury	3

¹ This data is collected based upon information provided at the time the case is closed. Due to the shifting nature of representation in special education disputes, it is not possible to collect data at the time the request is filed.

² This data is collected based upon information available at the time the case is closed. Due to the shifting nature of issues in special education disputes, it is not possible to collect data at the time the request is filed. Consequently, the data reported in this section will not correspond to the total number of new cases opened.

³ The number of disabilities will not equal the total number of cases because several cases identified multiple disabilities for the student.

Visual Impairment	4
Other Health Impaired	56
Not Stated	133

Issues⁴

Placement	313
Goals and Objectives	205
Designated Instruction and Services	103
Private Services	23
Mental Health Services	49
Discipline	81
Assessment	215
Reimbursement	126
Extended School Year	65
Compensatory Education	156
Eligibility	52

Age Group⁵

PreSchool (<5)	55
Primary (5-12)	242
Junior High School (13-14)	67
High School (15-18)	137

II. CLOSED CASES

For this quarter, 857 cases were closed. These include cases that were dismissed, withdrawn by request of the parties, and those that were resolved successfully prior to or after hearing. Of the 857 cases closed during this quarter, 42 percent settled outside mediation and/or a resolution session, 21 percent settled on the day of mediation, 4 percent resolved through the resolution session, and 16 percent were withdrawn. Overall, 96 percent of cases resolved in some manner without need for a due process hearing. A summary of the disposition status of these cases follows:

Settled Outside Mediation or Resolution Session	356
Settled in Mediation ⁶	179
Settled in Settlement Conference	0
Resolved through Resolution Session	67

⁴ The data for this section reflects the multiple requests received per complaint. Each issue is counted and identified in the appropriate category.

⁵ Due to a data collection error, data on the age of students was not collected for January and a portion of February. Therefore, the information included here will not equal the total number of new case filings.

⁶ Settlement during mediation is a case closure category, not a measure of success at mediation. For example, it does not encompass the significant number of matters that settle after progress toward settlement is made during mediation. The actual number of cases that reached impasse during mediation is reflected in section III below.

Withdrawn by Petitioner	135
Dismissal Order by Administrative Law Judge	8
Dismissed via Notice of Insufficiency	3
Dismissed due to Inactivity	35
Other	39
Decisions Issued	35
Total Number of Closed Cases	857

III. MEDIATIONS

Unless the parties indicate that mediation is waived, when a request for due process hearing is received, OAH schedules an initial mediation date. This quarter, 894 mediations were scheduled.⁷ The parties proceeded on the initial mediation date in 118 cases. In 17 cases, the parties waived mediation and 70 cases were resolved before mediation occurred.

Total Number of Mediation Requests	602
Number of Mediation-Only Requests	53
Number of Mediation requests related to Due Process Hearings	549
Number of Mediation-Only Requests Resolved through Mediation	34
Number of Mediations related to Due Process hearing resolved through Mediation ⁸	145
Total Number of Pending Mediations ⁹	818

During this quarter, OAH facilitated 390 mediation sessions. Of the 390 mediations held, 147 resulted in impasse. Consequently, mediations held by OAH were successful in 63 percent of the cases. The overall breakdown is as follows:

Total Mediations	Final Agreement	Interim Agreement	No Agreement "Impasse"	Agreement In Principle	Continued
390	179	39	147	22	3

IV. DUE PROCESS HEARINGS

During this quarter, final due process hearing decisions were issued in 35 cases. OAH closed 822 cases resulting in a total settlement rate of 96 percent. Of the 35 decisions issued, 34 (97 percent) were issued within the requisite timeframe.

Copies of all decisions have been provided to CDE and were posted on the OAH website. CDE has asked OAH to report data on the prevailing party in each case, the number of issues decided in favor of each party in a split decision, the number of represented parties, how long the hearings take, the average amount of

⁷ This number reflects the total number of mediations scheduled which will not necessarily coincide with the number of case filings. Many cases have second and third mediation dates scheduled and, therefore, the actual number of mediations scheduled is greater than the number of case filings.

⁸ This number reflects the use of mediation as a case closure category.

⁹ This number represents the total number of pending cases as each request for hearing is also considered a request for mediation.

time each party is using at hearing, and how many witnesses each party is calling at hearing. The breakdown of data is as follows:

Prevailing Party

Student Prevailed	4
District Prevailed	9
Split Decision	22

The cases with split decisions involved a total of 47 issues over 22 cases. In those cases, parents prevailed on a total of 24 issues and districts prevailed on 23 issues.

Represented Parties

Parent Attorney	21
Parent Advocate	3
Pro Per Parent	11
District Attorney	31
District Advocate	0
Pro Per District	4

Hearing Dates, Time Used, and Witnesses

Average Number of Hearing Days	3.46
Average Percent Time for Student Presentation of Case	51
Average Percent Time for District Presentation of Case	49
Average Number of Witnesses called by Student	5.3
Average Number of Witnesses called by District	4.7

Disabilities

Hearing Impairment	1
Hearing and Visual Impairment	0
Language and Speech Disorder	2
Visual Impairment	0
Severe Orthopedic Impairment	0
Other Health Impairment	5
Autistic-Like Behaviors	5
Mental Retardation	4
Serious Emotional Disturbance	3
Specific Learning Disability	5
Deaf	0
Blind	0
Multiple Disabilities	0
Unidentified or not eligible	2

Of the decisions issued, no cases involved preschool students, 54 percent involved elementary school students, 6 percent involved middle school students, and 40 percent involved high school students.

Specific hearing statistics are summarized below:

Total Number of Hearing Requests ¹⁰	602
Number of Cases resolved through Settlement ¹¹	602
Number of Decisions Issued	35
Number of Decisions within 45-day timeline	4
Number of Decisions within extended timeline	30
Number of Decisions issued after timelines and extension expired	1
Number of pending matters ¹²	818
Number of expedited Hearings	1
Number of Hearing Requests resolved without a hearing	822

V. EXPEDITED HEARING REQUESTS

For this quarter, OAH received 16 requests for expedited hearings. One case proceeded to hearing on the expedited issues and 15 cases were settled without the need for a hearing. The specific statistics related to expedited hearings are as follows:

Total Number of Expedited Hearing Requests	16
Number of Settlement Agreements	15
Number of Expedited Hearings Held	1
Number of change of placement ordered	0

VI. MOTIONS

Prehearing motions and Notices of Insufficiency (NOI) comprise a substantial amount of the work completed by administrative law judges. For this quarter, 270 prehearing motions and 86 NOIs were considered and ruled upon by OAH. CDE has asked OAH to collect data on the party filing the motion or NOI, the prevailing party on the motion, and the number of parent cases dismissed for insufficiency.

Notice of Insufficiency

NOI	78
Second NOI	7
Third NOI	1

¹⁰ This number represents the total number of new cases requested.

¹¹ This number represents the number of cases closed through settlement, mediation, or resolution session.

¹² As discussed in footnote 8.

Motions

Add Party	9
Amend Complaint	17
Clarification	1
Consolidate	24
Continue	65
Dismiss Case	49
Dismiss Party	10
Dismiss Issues	1
Extend Time	7
Order to Show Cause	0
Quash Subpoenas	5
Reconsideration	15
Reopen	1
Resolution Session Disputes	2
Sanctions	4
Stay Put	25
Miscellaneous	35

Filing Party and Prevailing Party

Number of NOIs filed by Student	6
Number of NOIs filed by District	80
Number of Student NOIs granted	1
Number of Student NOIs granted in part	1
Number of District NOIs granted	31
Number of District NOIs granted in part	8
Number of Student filed motions	134
Number of District filed motions	125
Number of Student Motions granted	68
Number of Student Motions granted in part	1
Number of District Motions granted	43
Number of District Motions granted in part	2
Number of Stipulated Motions	11

VII. INTERPRETERS

CDE has requested OAH collect data on the number of non-English speaking students accessing the due process system. Data related to the number of non-English speaking students accessing the due process system is collected from two sources. The first is through language reporting on the due process hearing request form.¹³ The second is through the number of interpreters requested.

¹³ The due process hearing request form was amended effective January 1, 2007, to include information related to the student's language. However, not all petitioners use this hearing request form. Additionally, others chose not to include this information.

During this quarter, 38 non-English speaking students were identified through the due process hearing request forms. Additionally, the assistance of an interpreter was requested in 45 cases. Of those requests, 31 were from the greater Los Angeles area, seven were from the San Diego/South Bay area and three were from the Northern California area. The largest number of requests were for Spanish interpretation with 35 requests, followed by three each for Korean and Mandarin, two for Japanese and one each for American Sign Language and Vietnamese.

VIII. STUDENTS OF COLOR

CDE has requested OAH collect data on the number of "students of color accessing the system." To facilitate this request, effective January 1, 2007, OAH amended its due process hearing request form to include this data. However, not all hearing requests are made using the OAH form. This quarter, 395 students elected to report this data. Three students self reported as being a "student of color" and 10 students self reported as not being a "student of color." The remaining 382 students declined to state if they are a "student of color."

IX. TRANSCRIPT REQUESTS

CDE has requested OAH collect data on the number of transcript requests received. This quarter, OAH received 19 requests for transcripts.

X. APPEALS

CDE has requested OAH collect and report data on the number of cases appealed. In January 2007, OAH began sending status letters to each case where a transcript was requested dating back to July 1, 2005. OAH has mailed 60 status letters and six responses have been received. Based on the responses received, four OAH decisions are currently on appeal. Additionally, OAH received two cases on remand. One case was remanded to clarify the decision and the second was remanded to clarify the remedy ordered.

XI. MEDIATION AND HEARING EVALUATIONS

Under its contract with CDE, OAH is required to send evaluations to all parties attending mediation and hearings. Effective January 1, 2007, evaluations are being sent to all parties who participate in mediation or hearings. The evaluations contain a 1 through 5 rating scale with 1 being Poor/Very Dissatisfied and 5 being Excellent/Extremely Satisfied. The evaluations ask the parties to evaluate the mediation, the administrative law judge and OAH in general. OAH mailed 505 mediation evaluations and 105 hearings evaluations. OAH received back 191 mediation evaluations and 25 hearing evaluations. The specific breakdown of ratings is as follows:

Consequently, all that can be reported is the number of responses received. The best measure of non-English speaking students accessing the system remains related to the number of interpreters requested.

Mediation Evaluations

	Average
Started mediation on time	4.28
Explained Satisfactorily the mediation process	4.51
Was well prepared for mediation	4.71
Directed the mediation process effectively	3.97
Facilitated discussions between the parties	4.63
Remained neutral through the mediation	4.64
Maintained the confidentiality of the parties	4.38
Acted in a courteous and respectful manner	4.44
Exhibited knowledge of special education law	4.05
Overall performance of the ALJ conducting the Mediation ¹⁴	4.26

AVERAGE MEDIATION EVALUATION 4.39**Hearing Evaluations**

	Average
Punctual in starting the hearing	4.44
Well-prepared for the hearing	3.52
Courteous to the participants	4.68
Attentive to testimony and arguments	4.44
Careful in making the record	4.48
Allowed the parties to explain their case	4.48
Efficient in the use of hearing time	4.12
Avoided apparent bias based upon gender, race, or ethnicity	4.44
Treated all participants professionally and fairly	4.40
Avoided over-familiarity with the school district	4.40
Avoided over-familiarity with the parents	4.40
Did not pre-judge the case	4.32
Did not allow personal beliefs to influence the outcome	4.20
Did not permit ex parte contacts	4.71
Exerted control during the hearing	4.24
Exhibited knowledge of special education law	4.04
Applied rules of procedure appropriately	4.04
Applied rules of evidence appropriately	4.20
Decided the case based upon the evidence	4.12
Prepared a Decision that resolved each issue presented	4.24
Prepared a Decision that was clear and concise	4.00
Overall Performance of Administrative Law Judge ¹⁵	3.48

AVERAGE HEARING EVALUATION 4.28

¹⁴ This is a separate evaluation question and is not an average of the scores received on other questions.

¹⁵ This is a separate evaluation question and is not an average of the scores received on other questions.

XII. PENDING CASES

At the present time, there are 818 matters pending before OAH. Of those matters, 21 are matters that were transferred from the University of the Pacific, McGeorge School of Law, Special Education Hearing Office (SEHO), after being placed in an off calendar status by SEHO.

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 3rd Qtr.	Total Filed 2006/2007
ABC U.S.D.	2	0	0	0	2	5
ACALANES U.H.S.D.	0	0	0	0	0	6
ALAMEDA USD	0	1	0	0	0	8
ALHAMBRA S.D.	1	0	0	0	1	4
ALPINE UNION S.D.	0	0	0	0	0	1
ALTA LOMA S. D.	0	1	0	0	1	2
ALVORD U.S.D.	0	0	0	0	0	1
AMADOR CO. USD	1	0	0	0	1	3
ANAHEIM CITY S.D.	2	0	0	0	2	8
ANAHEIM U.H.S.D.	2	2	0	0	4	6
ANTELOPE VALLEY U.H.S.D.	0	0	0	0	0	3
ANTIOCH USD	3	0	0	0	3	4
APPLE VALLEY U.S.D.	1	0	0	0	1	2
ARCADIA U.S.D.	1	0	0	0	1	5
BAKERSFIELD CITY S.D.	0	0	0	0	0	3
BALDWIN PARK U.S.D.	0	0	0	0	0	2
BANNING U.S.D	0	0	0	0	0	1
BASSETT USD	0	0	0	0	0	1
BEAUMONT U.S.D.	0	0	0	0	0	1
BELLFLOWER U.S.D.	2	0	0	0	2	10
BERKELEY U.S.D.	1	0	0	0	1	7
BEVERLY HILLS U.S.D.	0	2	1	0	3	9
BONITA U.S.D.	2	0	0	0	2	5
BONSALL UNION S.D.	0	0	0	0	0	2
BREA-OLINDA USD	0	1	0	0	1	2
BUCKEYE S.D.	0	0	0	0	0	1
BUENA PARK S.D.	0	1	0	0	1	8
BURBANK U.S.D.	0	0	0	0	0	1
BURLINGAME E.S.D.	0	0	0	0	0	1
BYRON UNION S.D.	0	0	0	0	0	1
CAJON VALLEY U.S.D.	0	0	0	0	0	2
CALIFORNIA VIRTUAL ACAD.	1	0	0	0	1	1
CAMPBELL U.E.S.D.	1	0	0	1	2	3
CAPISTRANO U.S.D.	4	2	0	0	6	31
CARLSBAD U.S.D.	2	1	0	0	3	5
CASTAIC UNION S.D.	1	0	0	0	1	1
CASTRO VALLEY U.S.D.	0	0	0	0	0	1
CENTER U.S.D.	1	0	0	0	1	1
CENTINELA VALLEY U.H.S.D.	0	0	0	0	0	1
CENTRALIA S.D.	2	0	0	0	2	1
CHAFFEY JT. U.H.S.D.	0	0	0	0	0	1

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 3rd Qtr.	Total Filed 2006/2007
CHINO VALLEY U.S.D.	1	0	0	0	1	4
CHULA VISTA E.S.D.	3	0	1	0	4	7
CLOVIS U.S.D.	0	0	0	0	0	3
COACHELLA VALLEY U.S.D.	1	0	0	0	1	1
COALINGA-HURON JT. U.S.D.	0	0	0	0	0	1
COLTON JOINT U.S.D.	0	0	1	0	1	3
COMPTON U.S.D.	2	0	0	0	2	10
CONEJO VALLEY U.S.D.	3	0	0	0	3	6
CORONADO U.S.D.	0	0	0	0	0	2
CORONA-NORCO USD	1	0	0	0	1	12
COVINA-VALLEY U.S.D.	2	0	0	0	2	6
CULVER CITY U.S.D.	5	1	0	0	6	13
CUPERTINO UNION S.D.	2	0	1	0	3	5
DAVIS JT. U.S.D.	1	0	0	0	1	2
DESERT SANDS U.S.D.	1	0	0	1	2	4
DIXIE E.S.D.	1	0	0	0	1	2
DOWNEY U.S.D.	1	0	0	0	1	5
DUARTE UNIFIED S.D.	1	0	0	0	1	1
DRY CREEK JT. E.S.D.	0	0	0	0	0	2
DUBLIN U.S.D.	0	0	0	0	0	2
EAST SIDE UNION H.S.D.	0	0	0	0	0	1
EAST WHITTIER CITY S.D.	0	0	0	0	0	2
EASTSIDE UNION S.D.	1	0	0	0	1	2
EL DORADO U.H.S.D.	0	0	0	0	0	1
EL MONTE U.H.S.D.	0	0	0	0	0	1
EL RANCHO UNIFIED S.D.	0	0	0	0	0	2
EL SEGUNDO U.S.D.	0	0	0	0	0	3
ELK GROVE U.S.D.	1	0	0	0	1	15
ENCINITAS U.S.D.	1	0	0	0	1	3
ESCONDIDO U.S.D.	2	0	0	0	2	5
ETIWANDA S.D.	4	1	0	0	5	9
EUREKA UNION S.D.	0	0	1	0	1	1
EVERGREEN S.D.	0	0	1	0	1	2
FAIRFIELD SUISUN U.S.D.	1	0	0	0	1	3
FALLBROOK U.H.S.D.	1	0	0	0	1	2
FALLBROOK UNION E.S.D.	1	0	0	0	1	2
FALL RIVER JOINT S.D.	1	0	0	0	1	1
FIREBAUGH-LAS DELTAS	0	0	0	0	0	1
FOLSOM CORDOVA USD	0	0	0	0	0	1
FONTANA U.S.D.	1	0	0	0	1	1
FOUNTAIN VALLEY S.D.	0	0	0	0	0	1
FRANKLIN MCKINLEY S.D.	0	0	0	0	0	2

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 3rd Qtr.	Total Filed 2006/2007
FREMONT U.S.D.	0	0	0	0	0	2
FREMONT UNION H.S.D.	1	0	0	0	1	1
FRESNO U.S.D.	1	0	0	0	1	4
FULLERTON ELEMENTARY .	0	0	0	0	0	1
FULLERTON JOINT UNION HS	0	0	0	0	0	4
GARDEN GROVE U.S.D.	2	0	4	0	6	12
GARVEY S.D.	0	0	0	0	0	3
GATEWAY U.S.D.	0	0	0	0	0	4
GLENDALE U.S.D.	2	0	0	0	2	6
GLENDORA U.S.D.	1	0	0	0	1	6
GRASS VALLEY E.S.D.	0	0	0	1	1	1
GROSSMONT UNION H.S.D.	1	0	0	0	1	5
HANFORD ESD	2	0	0	0	2	2
HAYWARD U.S.D.	1	1	0	0	2	9
HEMET U.S.D.	1	0	0	0	1	4
HERMOSA BEACH CITY ESD	0	1	0	0	1	1
HESPERIA U.S.D.	1	0	0	0	1	2
HIGH TECH MIDDLE MEDIA	0	0	0	0	0	2
HUMBOLDT COE	1	0	0	0	1	1
HUNTINGTON BEACH CITY .	2	2	0	0	4	9
HUNTINGTON BEACH U.H.S.D	0	0	0	0	0	2
INGLEWOOD U.S.D.	2	0	0	1	3	11
IRVINE U.S.D.	6	1	2	0	9	28
JEFFERSON E.S.D.	3	0	1	0	4	4
JOHN SWETT U.S.D.	0	0	0	0	0	1
JUVENILE JUSTICE EDUC SER	2	0	0	0	2	3
KEPPEL UNION	1	0	0	0	1	1
KERN H.S.D.	1	0	0	0	1	3
KING CITY UNION E.S.D.	0	0	0	0	0	1
KINGS CO. OFFICE OF ED.	0	0	0	0	0	1
KINGSBURG E.S.D.	1	0	0	0	1	1
KONOCTI U.S.D.	2	0	0	0	2	3
LA CANADA U.S.D.	1	0	0	0	1	4
LAKE ELSINORE U.S.D.	2	1	0	0	3	6
LANCASTER S.D.	0	4	0	0	4	12
LAS VIRGENES U.S.D.	3	0	1	0	4	11
LAWNDALE S. D.	0	0	0	0	0	1
LAFAYETTE S.D.	1	0	0	0	1	1
LEMON GROVE	1	0	0	0	1	1
LINCOLN U.S.D.	0	0	0	0	0	2
LITTLE LAKE S.D.	1	0	0	0	1	1
LIVE OAK E.S.D -SANTA CRUZ	0	0	0	0	0	1

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 3rd Qtr.	Total Filed 2006/2007
LIVERMORE VALLEY JT. USD	0	0	0	0	0	1
LODI U.S.D.	1	0	0	1	1	3
LONG BEACH U.S.D.	1	0	0	0	1	16
LOOMIS E.S.D.	1	0	0	0	1	1
LOS ALAMITOS U.S.D.	0	0	0	0	0	1
LOS ANGELES U.S.D.	178	0	11	1	190	654
LOS BANOS USD	0	0	0	0	0	1
LOS GATOS USD	1	0	0	0	1	1
LOWELL USD	1	0	0	0	1	1
LUCIA MAR U.S.D.	1	0	0	0	1	3
LYNWOOD USD	2	0	0	0	2	6
MARIPOSA COUNTY USD	0	1	0	0	0	1
MARIPOSA USD	2	0	0	0	2	4
MANHATTAN BEACH U.S.D.	1	1	0	0	2	8
MANTECA U.S.D.	1	0	0	0	1	3
MARK WEST	1	0	0	0	1	1
MARTINEZ U.S.D.	0	0	0	0	0	3
MERCED CITY S.D.	1	0	0	0	1	1
MIDDLETON	1	0	0	0	1	1
MILL VALLEY E.S.D.	0	0	0	0	0	1
MODESTO CITY SCHOOLS	3	1	0	0	4	6
MOJAVE UNIFIED S.D.	2	0	0	0	2	3
MONROVIA U.S.D.	0	1	0	0	1	3
MONTEBELLO USD	1	0	0	0	1	6
MONTEREY PENINSULA USD	0	0	0	0	0	4
MOOR PARK U.S.D.	0	0	0	0	0	1
MORELAND S.D.	0	0	0	0	0	2
MORENO VALLEY USD	1	0	0	0	1	1
MORGAN HILL USD	1	0	0	0	1	1
MORONGO U.S.D.	0	0	0	0	0	1
MOUNTAIN VIEW-WHISMAN	1	0	0	0	1	2
MT. DIABLO USD	3	0	0	0	3	14
MURRIETA VALLEY USD	1	2	0	0	3	3
NAPA VALLEY U.S.D.	0	1	0	0	1	4
NATOMAS U.S.D.	3	0	0	0	3	4
NEW HAVEN U.S.D.	3	0	0	0	3	5
NEWARK U.S.D.	0	0	0	0	0	1
NEWPORT-MESA USD	5	3	2	1	11	38
NORTH MONTEREY CO. U.S.D.	0	1	0	0	1	2
NORTH SACRAMENTO S.D.	0	0	0	0	0	2
NORTH MONTEREY USD	1	0	0	0	1	1
NORTH WOODS DISCOVERY	0	0	0	0	0	1

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 3rd Qtr.	Total Filed 2006/2007
NORWALK/LA MIRADA U.S.D.	1	0	0	0	1	3
NOVATO U.S.D.	0	1	0	0	1	6
OAK GROVE S.D.	0	0	0	0	0	2
OAK PARK USD	0	0	0	0	0	1
OAKLAND U.S.D.	1	0	1	0	2	11
OAKLEY UNION E.S.D.	0	0	0	1	1	2
OCEAN VIEW S.D.	1	0	1	0	2	11
OCEANSIDE U.S.D.	1	0	0	0	1	4
ODYSSEY CHARTER	1	0	0	0	1	1
ONTARIO-MONTCLAIR S.D.	0	0	0	0	0	1
ORANGE CO. DEPT. OF ED.	1	0	0	0	1	6
ORANGE CO. HEALTH CARE	0	0	0	0	0	2
ORANGE USD	2	0	0	0	2	16
ORINDA UNION S.D.	0	0	0	1	1	2
OXNARD ELEMENTARY SCH	1	0	0	0	1	2
PACIFIC GROVE U.S.D.	0	0	0	0	0	1
PACIFICA SCHOOL DISTRICT	1	0	2	0	3	5
PAJARO VALLEY U.S.D.	0	0	0	0	0	3
PALMDALE S.D.	1	0	0	0	1	4
PALO ALTO U.S.D.	1	0	3	0	4	6
PALO VERDE U.S.D.	0	0	0	0	0	1
PALOS VERDES PENINSULA	0	1	0	0	1	6
PANAMA BUENA VISTA	0	0	0	0	0	1
PARADISE U.S.D.	0	0	0	0	0	1
PARAMOUNT U.S.D.	0	1	0	0	1	3
PASADENA U.S.D.	2	0	0	0	2	14
PERRIS E.S.D.	0	0	0	0	0	1
PERRIS U.H.S.D.	1	0	0	1	2	3
PETALUMA JT. UNION H.S.D.	1	1	0	0	2	3
PIEDMONT U.S.D.	0	0	0	0	0	1
PIONEER U.E.S.D. HANFORD	1	0	0	0	1	2
PIONEER USD SOMERSET	1	0	0	1	2	2
PLACENTIA-YORBA LINDA	2	0	0	0	2	14
PLACER UNION H.S.D.	1	0	0	0	1	2
PLEASANT VALLEY (CAMAR)	2	0	0	0	2	5
PLEASANTON U.S.D.	2	0	0	0	2	4
POMONA U.S.D.	1	0	0	0	1	3
POWAY U.S.D.	5	1	1	1	8	28
RANCHO SANTA FE S.D.	0	0	0	0	0	1
RAVENSWOOD CITY S.D.	0	0	0	0	0	2
REDLANDS U.S.D.	1	0	1	0	2	7
REDONDO BEACH U.S.D.	2	0	0	0	2	5

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 3rd Qtr.	Total Filed 2006/2007
REDWOOD CITY E.S.D.	0	0	0	0	0	2
REED UNION S.D.	1	0	1	0	2	4
RESCUE UNION E.S.D.	0	0	0	0	0	4
RIALTO U.S.D.	1	0	0	0	1	4
RIO LINDA UNION S.D.	0	0	0	0	0	2
RIPON UNIFIED S. D.	4	1	0	0	5	9
RIVERSIDE CO. OFFICE OF ED.	0	0	0	0	0	1
RIVERSIDE U.S.D.	0	1	0	1	2	9
ROCKLIN U.S.D.	0	0	0	0	0	2
ROMOLAND S.D.	0	0	0	0	0	2
ROSEDALE UNION E.S.D.	0	0	0	0	0	2
ROSEVILLE E.S.D.	4	0	0	0	4	8
ROSS S.D.	0	0	0	0	0	2
ROWLAND U.S.D.	3	0	0	0	3	4
SACRAMENTO CITY U.S.D.	8	0	0	0	8	18
SACRAMENTO CO OFF. OF ED	0	0	0	0	0	3
SADDLEBACK VALLEY U.S.D.	0	0	0	0	0	6
SALIDA U.S.D.	0	0	0	0	0	1
SALIDA U.S.D.	0	0	0	0	0	1
SALINAS UNION H.S.D.	0	0	0	0	0	2
SAN BERNARDINO C.C.D.	0	0	0	0	0	1
SAN BERNARDINO CITY USD	2	1	0	0	3	6
SAN BRUNO PARK S.D.	1	0	0	0	1	2
SAN DIEGO CITY U.S.D.	20	2	5	0	27	72
SAN DIEGUITO UNION H.S.D.	2	0	0	0	2	5
SAN FRANCISCO U.S.D.	5	0	1	0	6	33
SAN GABRIEL U.S.D.	1	0	0	0	1	2
SANGER USD	1	0	0	0	1	1
SAN JACINTO U.S.D.	0	1	1	0	2	4
SAN JOSE USD	2	0	1	0	3	9
SAN JUAN U.S.D.	1	0	0	1	2	9
SAN LEANDRO U.S.D.	0	0	0	0	0	1
SAN LUIS COASTAL U.S.D.	1	0	0	0	1	5
SAN MATEO UNION HSD	2	0	0	0	2	6
SAN MATEO-FOSTER CITY	1	0	1	0	2	3
SAN PASQUAL VALLEY	0	0	1	0	1	1
SAN RAMON VALLEY U.S.D.	1	1	0	0	2	12
SAN YSIDRO S.D.	0	0	0	0	0	1
SANTA ANA U.S.D.	2	2	0	0	4	13
SANTA BARBARA COE	0	0	2	0	2	2
SANTA BARBARA H.S.D.	0	0	0	0	0	2
SANTA CLARA USD	0	0	0	0	0	2

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 3rd Qtr.	Total Filed 2006/2007
SANTA CRUZ	1	0	0	0	1	1
SANTA MARIA BONITA	0	0	1	0	1	1
SANTA MARIA JOINT U.H.S.D.	1	0	0	0	1	4
SANTA MONICA-MALIBU USD	6	0	0	0	6	16
SANTA RITA	1	0	0	0	1	1
SANTA ROSA CITY SCHOOLS	2	1	0	1	3	4
SANTEE S.D.	0	0	0	0	0	1
SAUSALITO MARIN CITY SD	0	1	0	0	1	1
SAUGUS UNION S.D.	1	1	0	0	2	6
SEQUOIA U.H.S.D.	1	0	0	0	1	2
SHANDON JT. U.S.D.	0	0	0	0	0	1
SIMI VALLEY U.S.D.	2	0	0	0	2	12
SISKIYOU UNION H.S.D.	2	0	0	0	2	3
SOLANA BEACH U.S.D.	1	0	0	0	1	2
SONOMA VALLEY U.S.D.	0	0	0	0	0	3
SOQUEL E.S.D.	0	0	0	0	0	1
SOUTH BAY USD	1	0	0	0	1	1
SOUTH PASADENA U.S.D.	3	0	0	0	3	4
SOUTH SAN FRANCISCO	1	0	0	0	1	1
SPRECKLES	1	0	0	0	1	1
STANISLAUS UNION E.S.D.	0	0	0	0	0	1
STOCKTON U.S.D.	0	0	0	0	0	1
SULPHUR SPRINGS U.S.D	1	0	0	0	1	2
SUNNYVALE ELEMENTARY	1	0	0	0	1	2
SWEETWATER UNION H.S.D.	0	0	0	0	0	1
SYLVAN UNION S.D.	0	0	0	0	0	1
TAMALPAIS UNION H.S.D.	0	0	0	0	0	3
TEHACHAPI U.S.D.	0	0	0	0	0	1
TEMECULA VALLEY U.S.D.	1	3	1	0	5	8
TEMPLETON U.S.D.	0	0	0	0	0	1
TORRANCE U.S.D.	2	0	0	0	2	12
TRACY JT. U.S.D.	2	1	0	0	3	4
TURLOCK U.S.D	0	0	0	0	0	3
TUSTIN U.S.D.	3	1	0	0	4	10
TWIN RIDGES E.S.D.	0	0	0	0	0	1
UKIAH	1	0	0	0	1	1
UNION S. D.	1	0	0	0	1	3
UPLAND U.S.D.	0	0	0	0	0	1
VACAVILLE U.S.D.	0	0	0	0	0	3
VALLEJO CITY U.S.D.	0	0	0	0	0	2
VALLEY CENTER U.S.D.	1	0	0	0	1	6
VENTURA U.S.D.	1	2	0	0	3	6

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 3rd Qtr.	Total Filed 2006/2007
VISALIA U.S.D.	0	0	0	0	0	1
VISTA U.S.D.	0	0	0	0	0	3
WALNUT CREEK S.D.	0	0	0	0	0	1
WASHINGTON USD	3	0	0	0	3	3
WEST CONTRA COSTA USD	1	0	0	0	1	13
WEST COVINA USD	0	0	0	0	0	4
WESTERN PLACER	2	0	0	0	2	2
WESTMINSTER S.D.	1	0	1	0	2	3
WESTSIDE UNION E.S.D.	0	0	0	0	0	2
WESTSIDE UNION HSD	2	0	0	0	2	2
WHITTIER CITY S.D.	0	0	0	1	1	2
WHITTIER UNION H.S.D.	0	0	0	0	0	6
WILLIAM S. HART UHSD	1	0	0	0	1	2
WINTERS JT. U.S.D.	0	0	0	0	0	1
WISEBURN ESD	1	0	0	0	1	1
WOODLAKE U.S.D.	0	0	0	0	0	1
WOODLAND JT. U.S.D.	0	0	0	0	0	2
YUBA CITY U.S.D.	1	0	0	0	1	4
YUCAIPA-CALIMESA JT. USD	0	1	0	0	0	5

EXHIBIT 13



OFFICE OF ADMINISTRATIVE HEARINGS

State of California

SPECIAL EDUCATION DIVISION

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Department of General Services

SPECIAL EDUCATION DIVISION
 QUARTERLY REPORT
 FOURTH QUARTER 2006/2007 FISCAL YEAR
 April 1, 2007 – June 30, 2007

Effective June 1, 2005, the Office of Administrative Hearings (OAH) entered into an interagency agreement with the California Department of Education (CDE) to administer the mandated special education dispute resolution program. That agreement obligates OAH to provide certain specified dispute resolution services in conformance with 20 U.S.C. section 1415 et seq., and California Education Code section 56500.1 et seq., as well collect particular data on the operation of the program. OAH is obligated to report on that data quarterly. Effective July 1, 2006, OAH was also been asked to collect additional data points that elaborate upon matters already reported on a quarterly basis.

QUARTERLY SUMMARY

During this quarter, OAH received 756 new requests for hearing and/or mediation and closed 759 cases leaving 780 open and active cases. OAH issued decisions in 40 cases, 37 of which were issued within the statutory timelines. Mediations were conducted in 322 cases with 73 percent of cases resolving in mediation. Overall, 95 percent of cases resolved without need for a due process hearing.

Public responses were received from parties participating in mediation and due process hearing. Mediations, due process hearings, and the overall processes were rated based on a 1 through 5 scale, with 1 being poor and 5 being excellent. The average mediation evaluation score was 4.01 and the average hearing evaluation score was 4.24 for an overall average rating of 4.13.

FISCAL YEAR END SUMMARY

For the 2006-2007 fiscal year, OAH received 2,742 new requests for hearing and/or mediation and closed 2,946 cases leaving 780 open and active cases. OAH issued decisions in 141 cases, 124 (88 percent) of which were issued within the statutory timelines. Mediations were conducted in 1,552 cases with 67 percent of cases resolving in mediation. Overall, 95 percent of cases resolved without need for a due process hearing. Since July 2005, 77 cases have been appealed. Two decisions were remanded to the Administrative Law Judge (ALJ) for additional clarification, two decisions were reversed, three decisions

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were upheld on appeal, 10 appeals were withdrawn, 12 appeals were dismissed, and 48 cases remain on appeal.

SPECIFIC QUARTERLY DATA

I. Case Filings

The total number of new case filings for this quarter was 756.

	April	May	June	Total
Student Filed Cases	142	197	237	576
District Filed Cases	33	35	25	93
Expedited Cases	4	3	3	10
Mediation Only	26	24	27	77
Total	205	259	292	756

Of the total of 756 new cases, the largest number involves the Los Angeles Unified School District with 286 cases or 38 percent of total cases filed. This is followed by San Diego City Unified School District with 23 new requests, Newport Mesa Unified School District with 12 new requests, Long Beach Unified and Capistrano Unified School Districts with 11 requests each, and Santa Monica-Malibu Unified School District with 10 requests. A complete breakdown of case filings by school district is attached to this report, as attachment A.

II. Case Filings Data

CDE requested OAH collect data on the number of hearing requests in which parents and school districts were represented by attorneys as well as identify the issues, the student disability, and the age groups which generate due process hearing requests. This data is collected based upon the cumulative information available at the time the case is closed. Due to the shifting nature of issues and representation, it is not possible to collect this data at the time the request for due process hearing is filed. Consequently, the data reported in this section will not necessarily correspond to the total number of new cases filed.

Representation

Student(s) with Legal Representation	424
District(s) with Legal Representation	332

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Age Group

PreSchool (<5)	66
Primary (5-12)	341
Junior High School (13-14)	85
High School (15-18)	167
Unidentified	97

Disability Categories¹

Autism	176
Deaf-Blindness	2
Deafness	6
Hearing Impaired	12
Mental Retardation	27
Multiple Disabilities	8
Orthopedic Impairment	14
Emotional Disturbance	61
Specific Learning Disability	91
Speech and Language	63
Traumatic Brain Injury	3
Visual Impairment	5
Other Health Impaired	86
Not Stated	208

Issues²

Placement	385
Goals and Objectives	237
Designated Instruction and Services	207
Private Services	32
Mental Health Services	80
Discipline	15
Assessment	316
Reimbursement	197
Extended School Year	96
Compensatory Education	234
Eligibility	114
Separate Procedural Issues	97

¹ The number of disabilities will not equal the total number of cases because several cases identified multiple disabilities for the student.

² The data for this section reflects the multiple requests received per complaint. Each issue is counted and identified in the appropriate category.

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III. Closed Cases

During this Quarter, 759 cases were closed. Overall, 95 percent of cases resolved in some manner without need for a due process hearing. A summary of the disposition status of these cases follows:

Settled Outside Mediation or Resolution Session	254
Settled in Mediation ³	224
Settled in Settlement Conference	0
Resolved through Resolution Session	30
Withdrawn by Petitioner	141
Dismissal Order by Administrative Law Judge	19
Dismissed via Notice of Insufficiency	15
Dismissed due to Inactivity	33
Other	3
Decisions Issued	40
Total Number of Closed Cases	759

IV. Mediations

Unless the parties indicate that mediation is waived, each due process hearing request received is scheduled for mediation.

Total Number of Mediation Requests	756
Number of Mediation-Only Requests	77
Number of Mediation requests related to Due Process Hearings	679
Number of Mediation-Only Requests Resolved through Mediation	30
Number of Mediations related to Due Process hearing resolved through Mediation	194
Total Number of Pending Mediations	780

During this Quarter, OAH facilitated 322 mediation sessions. Of the 322 mediations held, 87 resulted in impasse. Mediation was successful in 73 percent of the cases. The overall breakdown is as follows:

Total Mediations	Final Agreement	Interim Agreement	No Agreement "Impasse"	Agreement In Principle	Continued
322	170	20	87	8	37

³ Settlement during mediation is a case closure category, not a measure of success at mediation. For example, it does not encompass the significant number of matters that settle after progress toward settlement is made during mediation. The actual number of cases that reached impasse during mediation is reflected in Section IV.

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V. Due Process Hearings

During this Quarter, final decisions were issued in 40 cases. Of the 40 decisions issued, 37 (93 percent) were issued within the requisite timeframe. The requisite timeframe includes those decisions issued within the 45 day timeline or the 45 day timeline plus extension.

Copies of all decisions have been provided to CDE and were posted on the OAH website. CDE has asked OAH to report data on the prevailing party in each case, the number of issues decided in favor of each party in a split decision, the number of represented parties, how long the hearings take, the average amount of time each party is using at hearing, and how many witnesses each party is calling at hearing. The breakdown of data is as follows.

Prevailing Party

Student Prevailed	6
District Prevailed	21
Split Decision	13

The cases with split decisions involved a total of 102 issues over 13 cases. In those cases, parents prevailed on a total of 36 issues and districts prevailed on 66 issues.

Represented Parties

Parent Attorney	21
Parent Advocate	2
Pro Per Parent	11
District Attorney	39
District Advocate	0
Pro Per District	1

Hearing Dates, Time Used, and Witnesses

Average Number of Hearing Days	3.8
Average Percent time for Student Presentation of Case	44%
Average Percent Time for District Presentation of Case	56%
Average Number of Witnesses called by Student	4.9
Average Number of Witnesses called by District	5.3

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Disabilities

Hearing Impairment	1
Hearing and Visual Impairment	0
Language and Speech Disorder	1
Visual Impairment	0
Severe Orthopedic Impairment	1
Other Health Impairment	4
Autistic-Like Behaviors	15
Mental Retardation	2
Serious Emotional Disturbance	4
Specific Learning Disability	7
Deaf	0
Blind	0
Multiple Disabilities	4
Unidentified or not eligible	1

Of the decisions issued, 4 cases involved preschool students, 17 cases involved elementary school students, 4 cases involved middle school students, and 14 cases involved high school students.

Specific Hearing Statistics:

Total Number of Hearing Requests	679
Number of Cases resolved through settlement ⁴	483
Number of Decisions Issued	40
Number of Decisions within 45 day timeline	10
Number of Decisions within extended timeline	27
Number of Decisions issued after timelines and extension expired	3
Number of pending matters	780
Number of expedited Hearings	1
Number of Hearing Requests resolved without a hearing	720

⁴ This number represents the number of cases closed through settlement, mediation, or resolution session.

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VI. Expedited Hearing Requests

For this quarter, OAH received 10 requests for expedited hearings. One case proceeded to hearing on the expedited issues and nine cases were resolved without the need for a hearing. The specific statistics related to expedited hearings are as follows:

Total Number of Expedited Hearing Requests	10
Number of Settlement Agreements	5
Number of Expedited Hearings Held	1
Number of change of placement ordered	1

VII. Motions

Prehearing motions and Notices of Insufficiency (NOI) comprise a substantial amount of the work completed by administrative law judges. For this quarter, 371 prehearing motions and 117 NOIs were considered and ruled upon by OAH. CDE has asked OAH to collect data on the party filing the motion or NOI, the prevailing party on the motion, and the number of parent cases dismissed for insufficiency.

Notice of Insufficiency

NOI	98
Second NOI	16
Third NOI	2
Fourth NOI	1

Motions

Add Party	9
Amend Complaint	43
Clarification	1
Consolidate	26
Continue	91
Dismiss Case	43
Dismiss Party	27
Dismiss Issues	7
Extend Time	8
Order to Show Cause	0
Quash Subpoenas	5
Reconsideration	22
Reopen	2
Resolution Session Disputes	2
Sanctions	3
Stay Put	32
Miscellaneous	50

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Filing Party and Prevailing Party

Number of NOIs filed by Student	5
Number of NOIs filed by District	112
Number of Student NOIs granted	0
Number of Student NOIs granted in part	0
Number of District NOIs granted	49
Number of District NOIs granted in part	15
Number of Student filed motions	184
Number of District filed motions	162
Number of Student Motions granted	75
Number of Student Motions granted in part	5
Number of District Motions granted	77
Number of District Motions granted in part	6
Number of Stipulated Motions	25

VIII. INTERPRETERS

CDE has requested OAH collect data on the number of non-English speaking students accessing the due process system. Data related to the number of non-English speaking students accessing the due process system is collected from two sources. The first is through language reporting on the due process hearing request form. The second is through the number of interpreters requested.

During this quarter, 48 non-English speaking students were identified through the due process hearing request forms. Additionally, the assistance of an interpreter was requested in 102 matters. Of those requests, 71 were from the greater Los Angeles area, 25 were from the San Diego/South Bay area and 6 were from the Northern California area. The largest number of requests was for Spanish interpretation with 83 requests, followed by 7 requests for Vietnamese, 5 for Korean, 2 each for Chinese and Hebrew, and 1 each for American Sign Language, Japanese and Burmese.

IX. STUDENTS OF COLOR

CDE has requested OAH collect data on the number of “students of color accessing the system.” To facilitate this request, effective January 1, 2007, OAH amended its due process hearing request form to include this request. However, not all hearing requests are made using the OAH form. This quarter, 659 students elected to report this data. 20 students self reported as being a “student of color” and 19 students self reported as not being a “student of color.” The remaining 620 students declined to state if they are a “student of color.”

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X. TRANSCRIPT REQUESTS

CDE has requested OAH collect data on the number of transcript requests received. This quarter, OAH received 47 requests for transcripts.

XI. APPEALS

CDE has requested OAH collect and report data on the number of cases appealed. This data is collected on an ongoing basis. It includes all those cases that OAH was notified were appealed since July 2005. Based on correspondence with the parties and filings that have been provided to OAH, 77 cases have been appealed since July 2005. Currently, 48 OAH decisions are on appeal. Since July 2005, two decisions were remanded, two decisions were reversed, and three decisions have been upheld. The specific cases appealed and their outcome is identified below:⁵

District Name	Case Number	Appeal Outcome
Alhambra USD	2006020312	Dismissed
Alvord USD	2005070955	Dismissed
Bonita USD	2006020528	Pending
Byron Union SD	2006030866	Pending
CA School for the Deaf	2005090646	Pending
Capistrano USD	2005090873	Withdrawn
Capistrano USD	2005070135	Decision Remanded ⁶
Capistrano USD	2005070363	Pending
Capistrano USD	2006100267	Pending
Chula Vista USD	2005060656, 2006010691	Pending
Compton USD	2005110837	Pending
Compton USD	2005070151	Dismissed
Corona Norco USD	2005070226	Dismissed
Covina-Valley USD	2005060599	Dismissed
Downey USD	2005070522	Withdrawn
Downey USD	2005070481	Withdrawn
Dublin USD	2006060896	Pending
Escondido UHSD	2006070791, 2006051042	Pending
Fremont USD	2006050433	Pending

⁵ Due to problems with collection of data, parties are invited to notify OAH if any of the appeal data collected is incomplete or inaccurate.

⁶ Reversed in part OAH's decision and remanded to OAH to determine the remedy in the form of appropriate reimbursement for educational services.

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Case Name	Case Number	Appeal Outcome
Garden Grove USD	2005090691	Withdrawn
Gateway USD	2005080397	Withdrawn
High Tech Middle Media	2006090461	Pending
Huntington Beach USD	2005080264	Pending
Kern HSD	2005070832	Dismissed
Long Beach USD	2005070425	Pending
Long Beach USD	2005070442	Pending
Long Beach USD	2005070128	Pending
Long Beach USD	2005080935	Pending
Los Altos SD	2005070166	Dismissed
Los Angeles USD	2006050447	Pending
Los Angeles USD	2006010962	Pending
Los Angeles USD	2005090882	Decision Reversed in Part ⁷
Los Angeles USD	2005110113	Withdrawn
Los Angeles USD	2005070253	Dismissed
Monrovia USD	2006030450	Pending
Newport-Mesa USD	2005100636	Withdrawn
Oakley Union ESD	2006100061	Pending
Orange USD	2005070130	Pending
Pajaro Valley USD	2005120162	Pending
Pajaro Valley USD	2005120162	Pending
Palm Springs USD	2006010564	Dismissed
Placentia-Yorba Linda USD	2005071105	Upheld OAH's Decision
Placentia-Yorba Linda USD	2006010306	Pending
Pomona USD	2006010049	Pending
Pomona USD	2005070523	Reversed OAH's Decision
Poway Unified	2005080077	Pending
Poway USD	2005120568, 2005120386 2005090003, 2005090004	Pending
Reed Union SD	2006020660	Withdrawn
Riverside USD	2005110775	Pending
Rocklin USD	2006110278	Pending
Saddleback Valley USD	2005070193	Pending

⁷ Reversed OAH's decision only as to prospective relief and awarded Student approximately three weeks' reimbursement for behavior support services from a specific provider.

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Case Name	Case Number	Appeal Outcome
San Diego USD	2006020294	Pending
San Diego USD	2005100882	Pending
San Luis Coastal USD	2005070205	Pending
San Luis Coastal USD	2005080655	Pending
San Luis Coastal USD	2007010836	Pending
San Mateo UHSD	2006070550	Pending
San Ramon Valley USD	2005110307	Dismissed
San Ramon Valley USD	2005071028	Pending
San Ramon Valley USD	2006050839	Withdrawn
San Ramon Valley USD	2005071032	Pending
San Ramon Valley USD	2005071031	Upheld OAH's Decision
San Ramon Valley USD	2005070815	Withdrawn
Santa Ana USD	2005090037	Upheld OAH's Decision
Santa Maria USD	2006070104	Pending
Sequoia Union HSD	2006120087	Pending
Simi Valley USD	2006090233	Pending
Snowline Joint USD	2005100716	Pending
Sylvan Union SD	2006030058	Pending
Temecula Valley	2005070197	Dismissed
Torrance USD	2005110591	Pending
Torrance USD	2006030068	Pending
Torrance USD	2007010830	Pending
Tustin USD	2005090544	Pending
Upland USD	2005110360	Pending
Yucaipa-Calimesa USD	2005070042	Decision Remanded ⁸
Yucaipa-Calimesa USD	2005070683	Dismissed

⁸ Stayed proceeding and remanded to OAH for ALJ to explain whether it considered District's evidence in determining that District denied Student a FAPE and did not conduct an assessment.

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XII. MEDIATION AND HEARING EVALUATIONS

Under its contract with CDE, OAH is required to send evaluations to all parties attending mediation and hearings. Effective January 1, 2007, evaluations are being sent to all parties who participate in mediation or hearings. The evaluations contain a 1 through 5 rating scale with 1 being Poor/Very dissatisfied and 5 being Excellent/extremely satisfied. The evaluations ask the parties to evaluate the mediation, the administrative law judge and OAH in general. OAH mailed 1,023 mediation evaluations and 235 hearings evaluations. OAH received back 234 mediation evaluations and 41 hearing evaluations. The specific breakdown of ratings is as follows:

Mediation Evaluations

	Quarterly Average	Overall YTD Average
Started mediation on time	4.07	4.18
Explained Satisfactorily the mediation process	4.21	4.36
Was well prepared for mediation	3.93	4.32
Directed the mediation process effectively	3.94	3.96
Facilitated discussions between the parties	3.87	4.25
Remained neutral through the mediation	3.97	4.31
Maintained the confidentiality of the parties	4.08	4.23
Acted in a courteous and respectful manner	4.37	4.41
Exhibited knowledge of special education law	3.70	3.88
Overall performance of the ALJ conducting the Mediation ⁹	4.00	4.13

QUARTERLY AVERAGE MEDIATION RATING 4.01

OVERALL AVERAGE MEDIATION RATING 4.20

⁹ This is a separate evaluation question and is not an average of the scores received on other questions.

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Hearing Evaluations

	Quarterly Average	Overall YTD Average
Punctual in starting the hearing	4.32	4.38
Well-prepared for the hearing	4.27	3.90
Courteous to the participants	4.38	4.53
Attentive to testimony and arguments	4.32	4.38
Careful in making the record	4.32	4.40
Allowed the parties to explain their case	4.32	4.40
Efficient in the use of hearing time	4.13	4.13
Avoided apparent bias based upon gender, race, or ethnicity	4.41	4.43
Treated all participants professionally and fairly	4.39	4.40
Avoided over-familiarity with the school district	4.14	4.27
Avoided over-familiarity with the parents	4.13	4.27
Did not pre-judge the case	4.29	4.31
Did not allow personal beliefs to influence the outcome	4.17	4.19
Did not permit ex parte contacts	4.56	4.64
Exerted control during the hearing	4.20	4.12
Exhibited knowledge of special education law	4.18	4.11
Applied rules of procedure appropriately	4.07	4.06
Applied rules of evidence appropriately	4.15	4.18
Decided the case based upon the evidence	4.37	4.25
Prepared a Decisions that resolved each issue presented	4.44	4.34
Prepared a decision that was clear an concise	4.41	4.21
Overall Performance of Administrative Law Judge ¹⁰	3.27	3.38

QUARTERLY AVERAGE HEARING RATING 4.24

OVERALL AVERAGE HEARING RATING 4.24

¹⁰ This is a separate evaluation question and is not an average of the scores received on other questions.

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XIII. PENDING CASES

At the present time, there are 780 matters pending before OAH. Of those matters, five are matters that were transferred from the Special Education Hearing Office (SEHO), after being placed in an off calendar status by SEHO.

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 4th Qtr.	Total Filed 2006/2007
ABC USD						5
ACALANES UHSD	1				1	7
ALAMEDA USD						8
ALHAMBRA SD	1				1	5
ALPINE UNION SD						1
ALTA LOMA SD						2
ALVORD USD	2				2	3
AMADOR COUNTY USD						3
ANAHEIM CITY SD	2				2	10
ANAHEIM UHSD	2	1			3	9
ANDERSON UNION HSD	3				3	3
ANTELOPE VALLEY UHSD	2				2	5
ANTIOCH USD	2				2	6
APPLE VALLEY USD						2
ARCADIA USD	1				1	6
BAKERSFIELD CITY SD		1			1	4
BALDWIN PARK USD						2
BANNING USD						1
BASSETT USD	1				1	1
BEAUMONT USD						1
BELLFLOWER USD	3				3	13
BELMONT-REDWOOD SHORES ESD		1			1	1
BERKELEY USD	4				4	11
BEVERLY HILLS USD	1	1			2	11
BONITA USD						5
BONSALL UNION SD	1				1	3
BREA-OLINDA USD						2
BUCKEYE SD		1			1	2
BUENA PARK SD	2				2	10
BURBANK USD						1
BURLINGAME ESD	2		1		3	4
BYRON UNION SD						1
CABRILLO USD		1			1	1
CAJON VALLEY USD			2		2	4
CALAVERAS USD	1				1	1
CALIFORNIA VIRTUAL ACADEMY						1
CAMBRIAN ESD		1			1	1
CAMPBELL UESD						3

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 4th Qtr.	Total Filed 2006/2007
CAMPBELL UHSD	1		1		2	2
CAPISTRANO USD	5	6			11	42
CARLSBAD USD	3				3	8
CARMEL USD	1				1	1
CARPINTERIA USD			1		1	1
CASTAIC UNION SD						1
CASTRO VALLEY USD	2		1		3	4
CENTER USD				1	1	2
CENTINELA VALLEY UHSD						1
CENTRAL USD (FRESNO)	1				1	1
CENTRALIA SD						1
CERES USD	1				1	1
CHAFFEY JT. UHSD	2				2	3
CHINO VALLEY USD	1				1	5
CHULA VISTA ESD	3	2	1		6	13
CLOVIS USD	3	2			5	8
COACHELLA VALLEY USD						1
COALINGA-HURON JT. USD						1
COLTON JT. SD	1				1	4
COMPTON USD	5				5	15
CONEJO VALLEY USD	3				3	9
CORONADO USD						2
CORONA-NORCO USD	3				3	15
COVINA-VALLEY USD	1				1	7
CULVER CITY USD	5				5	18
CUPERTINO UNION SD			1		1	6
DAVIS JT. USD	1				1	3
DESERT SANDS USD	3				3	7
DIXIE ESD						2
DOWNEY USD						5
DUARTE UNIFIED SD						1
DRY CREEK JT. ESD						2
DUBLIN USD	2	1			3	5
EAST SIDE UNION HSD						1
EAST WHITTIER CITY SD		1			1	3
EASTSIDE UNION SD	1				1	3
EL DORADO UHSD						1
EL MONTE UHSD	2				2	3

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 4th Qtr.	Total Filed 2006/2007
EL RANCHO UNIFIED SD						2
EL SEGUNDO USD						3
ELK GROVE USD	1			1	2	17
ESCALON USD			1		1	1
ENCINITAS USD	1	1			2	5
ESCONDIDO USD				1	1	6
ETIWANDA SD	1				1	10
EUREKA UNION SD	1		1		2	3
EVERGREEN SD	1	1			2	4
EXETER USD		1			1	1
FAIRFIELD SUISUN USD	2	1	2	2	7	10
FALLBROOK UHSD						2
FALLBROOK UNION ESD						2
FALL RIVER JT. SD						1
FIREBAUGH-LAS DELTAS						1
FOLSOM CORDOVA USD						1
FONTANA USD						1
FOUNTAIN VALLEY SD						1
FRANKLIN MCKINLEY SD	1				1	3
FREMONT USD	1		1		2	4
FREMONT UNION HSD						1
FRESNO USD	1				1	5
FULLERTON ESD						1
FULLERTON JT UNION HSD	1			1	2	6
GALT JOINT UHSD	1				1	1
GARDEN GROVE USD	3	3			6	18
GARVEY SD						3
GATEWAY USD						4
GLENDALE USD	5	1	1		7	7
GLENDORA USD	2		1		3	9
GRASS VALLEY ESD						1
GROSSMONT UNION HSD						5
HACIENDA LA PUENTE USD	1				1	1
HANFORD ESD	1	1			2	4
HAYWARD USD	4	1	1		6	15
HEMET USD	3				3	7
HERMOSA BEACH CITY ESD	1				1	2
HESPERIA USD	1				1	3

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 4th Qtr.	Total Filed 2006/2007
HIGH TECH MIDDLE MEDIA						2
HUMBOLDT COE						1
HUNTINGTON BEACH CITY SD						9
HUNTINGTON BEACH UHSD						2
INGLEWOOD USD	1				1	12
IRVINE USD	1	5			6	34
JEFFERSON ESD			1		1	5
JEFFERSON UNION HSD	1				1	1
JOHN SWETT USD						1
JURUPA USD	1				1	1
JUVENILE JUSTICE EDUCATIONAL SERVICES	3				3	6
KEPPEL UNION						1
KERN HSD						3
KING CITY UNION ESD						1
KINGS CUNTY OFF. OF ED.						1
KINGSBURG ESD						1
KONOCTI USD						3
LA CANADA USD	1	1			2	6
LAKE ELSINORE USD						6
LANCASTER SD				1	1	13
LAS VIRGENES USD	3				3	14
LAWNDALE S.D	1				1	2
LAFAYETTE SD	1				1	2
LEMON GROVE USD						1
LINCOLN USD		2			2	4
LITTLE LAKE SD		1			1	2
LIVE OAK ESD-SANTA CRUZ	1				1	2
LIVERMORE VALLEY JT. USD			1		1	2
LODI USD	1				1	4
LONE PINE USD		1			1	1
LONG BEACH USD	10	1			11	27
LOOMIS ESD						1
LOS ALAMITOS USD						1
LOS ALTOS USD	1				1	1

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 4th Qtr.	Total Filed 2006/2007
LOS ANGELES USD	250	6	29	1	286	940
LOS BANOS USD						1
LOS GATOS USD			1		1	2
LOWELL USD						1
LUCIA MAR USD						3
LYNWOOD USD						6
MARIPOSA COUNTY USD						1
MARIPOSA USD						4
MANHATTAN BEACH USD	1	1			2	10
MANTECA USD	1				1	4
MARK WEST UNION SD						1
MARTINEZ USD						3
MERCED CITY SD	1				1	2
MESA UNION ESD	1				1	1
MIDDLETON SD						1
MILL VALLEY ESD						1
MILPITAS USD			1		1	1
MODESTO CITY SCHOOLS	4				4	10
MOJAVE USD	1				1	4
MONROVIA USD						3
MONTEBELLO USD	5				5	11
MONTEREY PENINSULA USD	1		1		2	6
MOOR PARK USD						1
MORELAND SD						2
MORENO VALLEY USD				1	1	2
MORGAN HILL USD	1		1		2	3
MORONGO USD						1
MOUNTAIN VIEW ESD (EL MONTE)	1				1	1
MOUNTAIN VIEW-WHISMAN						2
MT. DIABLO USD	4				4	18
MURRIETA VALLEY USD	1	1			2	5
NAPA VALLEY USD	2				2	6
NATOMAS USD	1				1	5
NEVADA JT. UNION HSD	1				1	1
NEW HAVEN USD	1				1	6
NEWARK USD		2			2	3

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 4th Qtr.	Total Filed 2006/2007
NEWMAN-CROWS LANDING USD		1			1	1
NEWPORT-MESA USD	3	7	2		12	50
NORTH MONTEREY CO. USD						2
NORTH SACRAMENTO SD						2
NORTH MONTEREY USD						1
NORTH WOODS DISCOVERY						1
NORWALK-LA MIRADA USD	3				3	6
NOVATO USD	1				1	7
OAK GROVE SD			1		1	3
OAK PARK USD	1	1			2	3
OAKLAND USD	7				7	18
OAKLEY UNION ESD						2
OCEAN VIEW SD	1	2	2		5	16
OCEANSIDE USD	1				1	5
ODYSSEY CHARTER						1
ONTARIO-MONTCLAIR SD						1
ORANGE COUNTY DOE						6
ORANGE COUNTY HEALTH CARE AGENCY	1				1	3
ORANGE USD	4	1			5	21
ORINDA UNION SD	1	1			2	4
OXNARD ESD						2
PACIFIC GROVE USD						1
PACIFICA SD			2		2	7
PAJARO VALLEY USD	2				2	5
PALISADES CHARTER HIGH SCHOOL			1		1	1
PALM SPRINGS USD		1			1	1
PALMDALE SD	3				3	7
PALO ALTO USD			1		1	7
PALO VERDE USD	2				2	3
PALOS VERDES PENINSULA USD	1				1	7
PANAMA BUENA VISTA USD		1			1	2
PARADISE USD						1

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 4th Qtr.	Total Filed 2006/2007
PARAMOUNT USD						3
PASADENA USD	1	1			2	16
PERRIS ESD						1
PERRIS UHSD						3
PETALUMA JT. UNION HSD	1				1	4
PIEDMONT USD		1			1	2
PIONEER UESD-HANFORD						2
PIONEER USD-SOMERSET						2
PLACENTIA-YORBA LINDA USD	2				2	16
PLACER UNION HSD						2
PLANADA ESD				1	1	1
PLEASANT VALLEY USD (CAMAR)	2				2	7
PLEASANTON USD	1				1	5
PLUMAS USD	1	1			2	2
POMONA USD						3
POWAY USD	5	3	1		9	37
RANCHO SANTA FE SD						1
RAVENSWOOD CITY SD	1				1	3
RED BLUFF JT. HSD	1				1	1
REDLANDS USD	1	1	1		3	10
REDONDO BEACH USD	1	2			3	8
REDWOOD CITY ESD						2
REED UNION SD						4
REGIONAL CENTER OF ORANGE COUNTY	2				2	2
RESCUE UNION ESD						4
RIALTO USD			2		2	6
RIO LINDA UNION SD						2
RIPON UNIFIED SD	1	2			3	12
RIVERSIDE COUNTY OFFICE OF ED						1
RIVERSIDE USD	2		1		3	12
ROCKLIN USD						2
ROMOLAND SD						2
ROSEDALE UNION ESD						2
ROSEVILLE ESD	2				2	10
ROSS SD						2
ROWLAND USD		1			1	5

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 4th Qtr.	Total Filed 2006/2007
SACRAMENTO CITY USD	3				3	21
SACRAMENTO COUNTY OFFICE OF ED						3
SADDLEBACK VALLEY USD	2	1			3	9
SALIDA USD						1
SALINAS UNION HSD						2
SAN BERNARDINO CCD						1
SAN BERNARDINO CITY USD	2				2	8
SAN BRUNO PARK SD						2
SAN DIEGO CITY USD	17	2	4		23	95
SAN DIEGUITO UNION HSD	2	1			3	8
SAN FRANCISCO USD	4		1		5	38
SAN GABRIEL USD						2
SANGER USD						1
SAN JACINTO USD						4
SAN JOSE USD	2	2	1		5	14
SAN JUAN USD	3				3	12
SAN LEANDRO USD						1
SAN LUIS COASTAL USD						5
SAN MATEO UNION HSD						6
SAN MATEO-FOSTER CITY SD	1				1	4
SAN PASQUAL VALLEY USD						1
SAN RAFAEL CITY SCHOOLS	1				1	1
SAN RAMON VALLEY USD	1		1		2	14
SAN YSIDRO SD						1
SANTA ANA USD	3	1	1		5	18
SANTA BARBARA COE	1				1	3
SANTA BARBARA HSD	1				1	3
SANTA BARBARA SD	1				1	1
SANTA CLARA USD	2		1		3	5
SANTA CRUZ USD						1
SANTA MARIA BONITA USD						1
SANTA MARIA JT. UHSD						4

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 4th Qtr.	Total Filed 2006/2007
SANTA MONICA-MALIBU USD	9	1			10	26
SANTA RITA USD						1
SANTA ROSA CITY SCHOOLS						4
SANTE FE SD						1
SAUSALITO MARIN CITY SD						1
SAUGUS UNION SD						6
SEQUOIA UHSD	1				1	3
SHANDON JT. USD						1
SIMI VALLEY USD	2	1			3	15
SISKIYOU UNION HSD						3
SOLANA BEACH USD						2
SONOMA COUNTY OFFICE OF ED.	1				1	1
SONOMA VALLEY USD	2				2	5
SOQUEL ESD						1
SOUTH BAY USD						1
SOUTH PASADENA USD	3				3	7
SOUTH SAN FRANCISCO USD						1
SOUTH WHITTIER ESD	1				1	1
SOUTHERN KERN USD	1				1	1
SPRECKLES USD			1		1	2
ST. HELENA SD	1				1	1
STANISLAUS UNION ESD						1
STOCKTON USD						1
SULPHUR SPRINGS USD						2
SUNNYVALE ESD			1		1	3
SWEETWATER UNION HSD	1				1	2
SYLVAN UNION SD	1				1	2
TAHOE TRUCKEE USD	1				1	1
TAMALPAIS UNION HSD						3
TEHACHAPI USD						1
TEMECULA VALLEY USD	3	1			4	12
TEMPLETON USD						1
TORRANCE USD	2				2	14

School District	Parent Filed	District Filed	Mediation Only	Expedited	Total Filed 4th Qtr.	Total Filed 2006/2007
TRACY JT. USD						4
TURLOCK USD						3
TUSTIN USD	3	2			5	15
TWIN RIDGES ESD						1
UKIAH USD						1
UNION SD						3
UPLAND USD	2				2	3
UPPER LAKE USD	2				2	2
VACAVILLE USD	1				1	4
VALLEJO CITY USD	4				4	6
VALLEY CENTER USD						6
VENTURA USD	1				1	7
VICTOR ESD	1				1	1
VISALIA USD	1	1			2	3
VISTA USD						3
WALNUT CREEK SD	1				1	2
WASHINGTON USD	1				1	4
WEST CONTRA COSTA USD	2				2	15
WEST COVINA USD			1		1	5
WESTERN PLACER USD						2
WESTMINSTER SD		1			1	4
WESTSIDE UNION ESD	2				2	4
WESTSIDE UNION HSD	1				1	3
WHITTIER CITY SD	1				1	3
WHITTIER UNION HSD						6
WILLIAM S. HART UHSD	3				3	5
WINTERS JT. USD						1
WISEBURN ESD		1			1	2
WOODLAKE USD						1
WOODLAND JT. USD	2				2	4
YUBA CITY USD						4
YUCAIPA-CALIMESA JT. USD		1			1	6